

MINUTES OF ORAL EVIDENCE

taken before

**HIGH SPEED RAIL COMMITTEE**

On the

**HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL**

Thursday, 17 September 2015 (Morning)

In Committee Room 5

PRESENT:

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

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IN ATTENDANCE

Mr James Strachan QC, Counsel, Department for Transport

Witnesses:

Ms Sara Dixon  
Ms Margaret Cole  
Ms Julie Lue  
Mr Oswald De Sybel  
Dr James Conboy

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**IN PUBLIC SESSION**

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(At 09.30)

1. CHAIR: Order, order. Good morning, welcome to the HS2 Select Committee. We start off with petitioners, represented by Sara Dixon, and that's 873, 887, 888, 875, 876, 877, 879, 880, 881, 882, 883, 889, 890, 892, 893, 894 and 895, 898 and 891, which is a nice spread. We'll have the update after we have Sara's – you go first, carry on?

**Sara Dixon et al.**

2. MS DIXON: Alright, thank you very much for having us. You've already listed us all. There are just two or three people from the road who are not here, two will be heard in October and two didn't put in a petition, but basically you've got our entire road here, all listening at home on the camera thing.

3. SIR PETER BOTTOMLEY: It would be helpful if we just briefly saw where London Road went – we know but many of those who are not local may not know.

4. MS DIXON: Yes, do you want to see it on a bigger screen?

5. SIR PETER BOTTOMLEY: I think the promoters may have a...?

6. MR STRACHAN QC (DfT): Would you like to see traffic in particular or just the scheme, because I can give you either, I suspect?

7. SIR PETER BOTTOMLEY: Just to give a context?

8. MR STRACHAN QC (DfT): Yes. If we go to P7552, I'm afraid we may need to zoom in? If we can zoom in on the area just over here on the right? A bit more detail. London Road is coming here, the A413, and Ms Dixon is dealing with residents along London Road in these properties along here; and as you can see, the line's coming in towards Wendover at this point, towards the Small Dean viaduct –

9. SIR PETER BOTTOMLEY: So coming from London, you've come over the big viaduct -

10. MR STRACHAN QC (DfT): Exactly –

11. SIR PETER BOTTOMLEY: Through the cutting, over the main viaduct –
12. MR STRACHAN QC (DfT): Wendover Dean viaduct, then back into false cutting; and then Rocky Lane – if we move the cursor to the right – overbridge here, coming down onto the A413 London Road; and then we’re coming towards the Small Dean –
13. SIR PETER BOTTOMLEY: So it’s one of the really close interactions of the railway line and local residents?
14. MR STRACHAN QC (DfT): It is, it is fairly close to this confluence –
15. SIR PETER BOTTOMLEY: Forgive me –
16. MS DIXON: No, it’s fine. Can I first of all, say thank you to David Walker, because he put our hearing back so that we have a meeting with Bucks County Council, but they didn’t turn up, so I haven’t been able to knock off quite of the few of the issues that we were hoping to knock away with them.
17. SIR PETER BOTTOMLEY: We hope to become impressed by Buckinghamshire getting involved with the local residents!
18. MS DIXON: I am simply going to go through who we are, how we’re affected briefly, and what we want – because I suspect you probably know more about our road than we do by now. Our approach today – and in fact leading up to this is a very collaborative approach. I don’t think that’s us – so we have put this set of slides together, all of us; we’ve all worked on it – on the basis that if this is going to happen, we’re going to deal with it. So it’s very collaborative. That does not mean we’re not going to reserve our right to perhaps become a little bit more, appropriately litigious if we need to as and when things happen down the road, but for the moment, this is how best we think that we can move forward with things.
19. If I could just say that we support all of those who so far have spoken about strain on community services, businesses; health problems; damage to the AONB; damage to wildlife habitat, heritage, footpaths; visual blight; property blight; noise and vibration; and light pollution. So we support everyone so far who has had concerns over that. In relation to an underground tunnel, we support in particular the short tunnel that was

proposed by Wendover Society – I think that was last Monday? – petition 605. Like them, we would like HS2 to revisit their cost estimates. But of all of the various tunnels that are floating around – to the extent that they float – we like that one the best.

20. If I could have the first slide please? This is us: not using a drone, it's using Google. Excuse the white lines, that's simply where I've stuck the papers together, not very well. If I tap with this, do you see it all? Here, is our railway line. On the left of the picture, that is the Wendover end, and on the right of the picture, that is the Great Missenden, Aylesbury, London end. This is our railway line, by which we refer to the Chiltern Line. Then, this is our local road, which is the A413. You'll be hearing later, it's almost two roads – it's like we're living on two roads; peak time, bumper to bumper; middle of the day, we can cross it, it's almost two roads. Then these are our houses here, from Caroline and Shaun at the top, all the way to John and Nancy at the bottom. Then we have these three houses here; and we have the smallholding here. The smallholding here, I'll be back with Vince and Mandy in October. There is a house up here that will be demolished, but essentially, this is us. Then there are two houses here, one is shortly to be purchased by HS2 under the Need to Sell, and one already has been. So that's who we are. You'll see that the people who live here will have construction traffic coming down Rocky Lane – this is Rocky Lane – construction traffic going along London Road, which they'll share with us over this side; and they will also obviously have the railway construction at the back.

21. Can I have the next slide please? Just briefly, three slides to show you that we do have a view. Many people think we don't, but some people do have a view. This is the Wendover end of the road, and when you came to visit, you stood on the service road. Sort of straight ahead, almost above this tree, that's where you saw that black balloon which was the height of the embankment. I don't know if it was the height with all of the paraphernalia and 'gubbins' on top of it, or whether it was where the embankment stopped, but it was pretty high. The second picture is looking towards Wendover, and it's still quite a nice view, and that's the service road that I'll be speaking about later. The sort of rather damaged looking bit.

22. Can I have the next slide please? Those of us who live in the middle, we do still have a nice view; we have – Kumar has the service station, the petrol station opposite, from where we get our alcohol, our tea, our coffee, and everything else. It's our local

store. Then we have the houses opposite there, the ones I've just referred to. They are the ones that Rocky Lane goes next to. This is Rocky Lane on the other picture, coming down. So that's what we see the middle of the road, and you can see over there in the distance on the right hand side, that's where we're going over, further towards Missenden.

23. Can I have the next slide please? Then the people who live at the far end of the road, there's Rocky Lane straight ahead; you'll see it's not huge and yet that's the construction traffic area. Look at the thinness, the narrowness of the main road area. Then, just to point out to you, this photograph on the right was taken from Rocky Lane. So that's looking towards the houses opposite, and the people who live on the train side, the HS2 side, see that hedge, but also houses in front. But the point of this photograph is to see, if you want to get up towards Dunsmore, it's a really horrible turning. You come out of Rocky Lane, you turn left and then you have to turn right. Those of us who work from home, it's one of those areas where sometimes, you know, you hear the screech of vehicles and you just wait for the crash. Sometimes there's a crash, sometimes there isn't, but it's nasty – it's not a nice place.

24. SIR PETER BOTTOMLEY: What's the speed limit along the A413 road?

25. MS DIXON: This part, it's supposed to be 40. Sometimes you can't do more than 10 in peak, but in the middle of the day, they do more than that. We also have at weekends, the people on the motorbikes use it, and people on normal bikes use it. Everybody uses it. So there's lots of different speed limits going along there.

26. Can I have the next slide please? People say, you know, 'What's your problem, you've got a railway?' We love our railway, our little one. I've just taken this – Margaret took these photos. You can see that this is our railway; it's our Chiltern line; and there's about six an hour maximum at peak, I think. They range from 2 to 10 carriages. The railway sort of gently rumbles; it's not a whoosh. HS2 will whoosh, we think. This is quite a gentle rumble and we quite like and you almost don't notice it after a while. It's a very different sound to not notice than HS2 we feel. You can see that there's all the greenery on the right-hand side, and our houses are behind that. Then, I took that standing up, on our pergola – you'll have to excuse all the nettles there – but that's about 20 to 30 feet down. So it's down. We can maybe see the top of it.

People who have hedging all the way at the back don't see at it at all. So, we don't mind a railway, we're not fussed about a railway like that. It's rather nice, we like it.

27. Can I have the next one please? I'm not suggesting HS2 is like that, but it would be nice. These are our back views; because they are our views and we protect them. So, the one on the left-hand side goes up towards Small Dean, and 'Os' will be talking later, and he lives up there. Then the one on the right, basically, is looking over towards Dunsmore, that's Dunsmore at the top.

28. Next slide please? People keep asking us how far we are from the line and these numbers are wrong in terms of the impact that it makes on people, and I will come back to this, but at the top end, that is the left-hand side – that's the Wendover end – we're 285 miles –

29. SIR PETER BOTTOMLEY: Metres?

30. MS DIXON: Metres – that would be great. 285 metres from the line, let's make that a law now! At the bottom end, that is Great Missenden, and that's 400 metres from the line. Opposite side – that's excluding Vince and Mandy – they're the ones with the smallholding, and we're back with them in October – they're 280-300 metres. So that's on the railway side of the A413, the HS2 side. That distance completely excludes the topographical impact. It's very different if there's a great big thundering hill between you and the 285 metres. But when it's pretty much flat or slope, that's quite different. When I was a trainee solicitor, if I'd drafted the compensation scheme in the way that it's been done, I'd have had it sent back – I was an articled clerk, it was a long time ago – but basically, a compensation scheme should compensate people for the actual loss, not a line down the centre of a page that someone's drawn. For us, the nuisance is what's significant. For us the nuisance is going to not just be the line; the road and the satellite compounds are the railway line, pre-construction. So, if you look at the nuisance impact, again, at the top end, that's Wendover. Caroline and Shaun are only 65 metres from the Small Dean launch satellite compound. Hawthorn, in the middle, is about 325 metres; and the bottom houses, four of them, that's towards the Great Missenden end, on each side of the road, are roughly about 310 metres from the Rocky Lane compound. Obviously, if you look at Rocky Lane itself, and the A413, our local road, we are on it. So these numbers mean nothing if you look at the context of them.

31. Can I have the next slide please? So this is about us, who are we? Well, if you look at us – and I'm very sorry to my friends, neighbours behind me – but they have a walking stick some of them. Look how many people are over 60. There's a lot of wisdom there and it was actually them who really have pointed out the need for a collaborative approach to this. Because as they said, in the early days, we all wanted to move, but actually, the more you look at it, and the more you try and think about it, why should the hell should we be moved because of a train? So it's very much about listening to them and trying to make it work so that they can stay there, and we can all stay there. That's been our approach to this. So we have a lot of people who are elderly who do not want to move from where they are. So we have to make this work for them.

32. Also, look at how many of us are self-employed. Self-employed people don't put their hands up in the air, or their heads in the sand and say, 'Woe is us'. We tend to say, 'Right, this is going to happen, how are we going to deal with it?' That is very much what we as an entire road have decided to do. Look at the variety of people that we've got: we're all sorts, all sorts of incomes, all sorts of political views – although they keep changing a lot at the moment – all sorts of things going on there. Again, if it's coming, let's tackle it. We are the sort of people who are used to trying to get on with life. Look at how long people stay in that road. Most of us – the large part of us have been there for between 10 and 51 years. The man with the cricket bat is to remind me that Peter, behind me, was born in his house. It was his grandmother's house, and he used to play cricket on the A413 – that's to remind me to tell you that we're not against change.

33. SIR PETER BOTTOMLEY: It's a baseball bat.

34. MS DIXON: Is it a baseball bat? Is it really? Did you play baseball? He played baseball! Thank you for that!

35. SIR PETER BOTTOMLEY: That's the other one!

36. MS DIXON: That's who we are, that's how we've approached this. Can I have the next slide please? We are a community; nobody seems to realise that. Our postal address is Wendover, but nobody knows that; we are not included and are really included in anything to do with Wendover. People think we're Wendover Dean, as well, which is further down the road, not us; that longer collection of houses – I think you've already heard from them. So when people think they've covered us, they

haven't. They think, 'Wendover, that's us'. It isn't. We have a Wendover postcode. And we are not Dunsmore; we are a little road in the middle of all of this – HP22 6PN – and we are connected by our postcode. Who has mentioned us? The only person, really who has mentioned us, is David Lidington, when he said we were one of the worst affected areas on the entire route. We're completely absent from the CFA: we're not mentioned in any of their assessments of communities. There's that film, *Passport to Pimlico*, well we should do that quite frankly because then we might get a bit more noticed! HS2 sort of refers to us when they say – and this is not a quote – where they say, 'There's only a little bit that's not under a tunnel, what are you worried about?' We are that little bit.

37. We can't bring you beautiful trees, we can't bring you a wood to be protected, we can't bring you – we do have *glis glis* but they're not protected. They're annoying but they're not protected. We can't bring you beautiful, Grade II listed buildings. We are only people, that's all we can bring you, but that ought to be enough to be treated and taken as care of as trees and buildings. Our amenities, we do have amenities. We have to use that road to get into Wendover or Great Missenden, and we use the car. If we want to walk or cycle, you have to go up via Small Dean because it's a dangerous road. You can do it sometimes but it's dangerous. So we have medical appointments, etc. either of us – Wendover, Great Missenden – for which we need a car.

38. Opposite is Kumar, we need to get across that road. In the middle of the day we can get across the road, the elderly can get across the road. That's where they get their papers from; that's where I get my alcohol from. It's very important. If that were a shop – a proper shop, and we were a community – we would have a crossing and that would be protected.

39. And our health: we have a range of health problems, as you would expect with the age that we've got, but we need and we support each other. That need and support is going to be more and greater as the construction starts. Therefore, we have to be able to get across that road. We're not all on one side; we must be able to get across that road.

40. SIR PETER BOTTOMLEY: The only safe way to do that is with light-controlled crossing?

41. MS DIXON: Yes, yes. I mean, you can, in the middle of the day, it's not so bad,

but peak hours – and those peak hours may well grow, as we can see.

42. If we could have the next slide please? I've taken this from this map which – HS2 came to visit us and it's the first time anyone has given us anything that puts us in the centre. I couldn't find this map online because at that stage when Martin came, they were – only just thought of this electricity substation, what was it called – 'Additional land required for utility works and access'. This was the first time anyone had put us in the centre of a map. We're always on the edge, whenever they're big and fixed. So I have taken that from that version, your version of this.

43. So, how we're affected during construction? In essence, we're in the middle of a construction site, particularly the people on the other side, who are the nearest side to HS2. So, on the left you'll see the yellow – there's a construction compound. Here is a construction compound. Here's another one, and I haven't even started to put in the ones in Wendover or the other side further down the road. The green is obviously the construction route, and here's another one here. The pink is obviously the compulsory purchased land, bypassing all of us, except for Vince and Mandy which we'll talk about in October.

44. The distance of this road, the green construction road here, our local A413, we reckon is about 20 to 30 feet. So that's the distance that we'd have to get across, roughly, I think. We have real problems with the road already. We have had examples of – I'll refer to the service road in a minute, but we have had examples of cars undertaking on the service roads, skidding and going into houses along here, and ended up in the front of the houses.

45. Can I have the next slide please? The only reason I've put that on is because I'm not going to read them out, all of them, but if you look at the figures for operation of Small Dean Viaduct main compound, Rocky Lane underbridge satellite compound, Small Dean Viaduct launch satellite compound, they are the nearest; but obviously we'll pick up traffic and noise and everything from Wendover Dean Viaduct compound, Risborough Road and Wendover green tunnel. So we are in the middle of a construction site that will carry on for – I mean, at the longest it looks like it will be six years, nine months, with everything that that entails. I'm not going to read through all of that, because you can actually see it for yourself. But not many people are living in

the middle of a construction site these days; we will be.

46. Could I have the next slide please? The purpose of this slide is to refer you to HS2's traffic figures. If you could then go onto the next slide, I'll tell you what I've done with them. Anyone in business looks at trends, first, before they do anything. Aylesbury is growing. There will be an increase in traffic without HS2, purely as Aylesbury. People leave Aylesbury to go to London, either by the A40 – is it the A40? A41, thank you; or our road. That is it. So, even without HS2, these figures will grow. So we thought, have a look at the local transport plans, see if there's anything that could give us any idea of trends, because you can't just plonk new figures on top of something that's not a firm foundation. Where is the firm foundation? We couldn't find it. So, how can we rely on HS2's figures? We don't know what they've used because there doesn't seem to be anything, so we did our own.

47. So we had a 14 year old schoolboy sitting next to his mum in the pouring rain, for an hour – and everyone else down the road – counting. I'll just take you through what we found. The brown – except it looks red – those figures were taken in August; and the blue were taken in September when schoolchildren and people went back to work. As you can see – and actually, it starts sooner than 7.00, but I think those of us who are up before 7.00 are usually out working. But about 6.30, my husband has to be out of the road, otherwise he has to turn left up to the roundabout and turn around; it starts to build up around 6.30, like most places.

48. So, 7.00 to 9.00 is our peak time, going away towards London; and 4.00 to 7.00 is our peak time coming back, and the corresponding figures for the other direction. So for us, between 10.00 and 3.00 is really the only time we can get across that road; and it sort of varies between 9.00 to 10.00; and 3.00 to 4.00. Really, we're on a hiding to nothing, because if HS2 uses the peak time for people to get to work and the haulage, we're not going to be able to get out at all, unless people very kindly let us out. And then, if they say, 'I'll tell you what, we'll put everything on non-peak hours', we can't get across the road. It's our only time for getting across the road and out of our houses – and getting to work, kids to school, lots of us care for other people – like anyone else in the world, we need to just move sometimes. The emergency vehicles are there as well, I think quite a few people have raised issues about the emergency vehicles – these are our figures, just taken with our own clickers. I think we said that all but two of them on

each occasion – of the totals were ambulances? Yes. So that's the pattern of our life as it is at the moment.

49. Then you've got HS2's predictions, and I haven't done this brilliantly – but just to have a look. They predicted – and I put their predictions from their calculations in green. This is without HS2's traffic on it; this is their prediction for 2021. I wasn't quite sure whether the Rocky Lane figures that they calculated should be added into the figures further down the London Road. So I added them in, but you could take them out. But anyway, it's not scientific, it can't be until we've got something better done. However, you can see that there's predicted growth of 1,000 over six years. I don't know whether that's acceptable or to be expected or not. That's about a 10% increase. If you increase by 10% without HS2 you have gridlock, complete gridlock. We have it a fair amount at the moment; we've got complete gridlock outside our houses. If there's traffic – if there's a traffic accident, then nothing happens and I'll refer in a minute to what happens those. I know you've heard a lot about that so I won't be too long on that.

50. Can I have the next slide please? Now, with all of that traffic, people undertake on our service road. This is the service road; it's the really poorly maintained bit. Left hand picture, it's on the left hand of the van; right hand picture, it's where someone's parked in that service road. We try to keep that clear – and I've got some photos in a minute to show you why. People undertake on that road, and in order to get out, we have to get onto it. If they undertake – sometimes they're coming up for example, towards me on my right hand side, and I am there and they don't see me. So with an increase in traffic, more and more people will use that service road because they'll try and undertake. It's equally dangerous on the other side because that has a road that basically is a road that is supposed to – Michael gave me – deceleration, that's the word. A deceleration road he said, I have to refer to it. People on the other side of that road, on the right-hand side, going towards Rocky Lane, there's a deceleration road that people go into in order to turn left up Rocky Lane. People use that as a stopping off place to go into the garage. People use our service road, as well, as a stopping off place to go to the garage. That's great for Kumar's business – we wouldn't want to stop that, but it is really, really dangerous in a way that we worry it will be.

51. Could I have the next slide please?

52. MR BELLINGHAM: Sorry, could I just clarify the point, is that where we stopped? Is that where the bus stopped?

53. MS DIXON: Yes, you stopped, left hand –

54. SIR PETER BOTTOMLEY: On the west side, going in –

55. MR BELLINGHAM: Quite near that Labour poster there?

56. MS DIXON: You were past that, going in towards Wendover. See where the road curves –

57. SIR PETER BOTTOMLEY: Did you say Labour poster or did you say ‘house for sale’ poster?

58. MS DIXON: You had a nice view, though, in the service station, because you were looking out over fields, where the embankment will go.

59. This was our effort to show you what happens when you have to try and get out. On the left hand side, is my car, it has a short front, it doesn't have a long boot. So people with longer frontages, sorry, have to go out further into the road. Julie parked her 4x4 into the road and that's my here, in the pouring rain, trying to get the distance of what a lorry would be, parked there. I can't see Rocky Lane, coming out. So I have to go into the road in order to see anyone coming down from Rocky Lane, or anyone coming from my right, depending on the size of the lorry. On the right hand photograph, Shaun parked his van as an example, on the service road, so that, again, you can see – I'd have to go quite out into that road, to be able to see anyone exiting from the garage. They might be turning right in front of me. So this is a real problem with our service road. It is very dangerous and when Caroline and Shaun bought their house, which is one at the very, very end of the road, at the Wendover end, they were told they must not have anyone use the A413 service road for the building; it had to be kept clear. Their house has had to be built so far back, so that people can turn in their frontage, not to use that service road. It's there for service, but it's our protection, if you like. If people use it to undertake or park on it, it's very, very dangerous; very dangerous.

60. Can I have the next slide please? This is the lie of the land. You can see, again, this is looking up towards Wendover. Mr Bellingham, I think you were probably on this

side, where that is, looking across there?

61. MR BELLINGHAM: Yes.

62. MS DIXON: The road is not great, and I'll show you some flooding in a minute. But can you see where it sort of goes down, and it's the same on the other side. Can I have the next slide please? We do have drainage problems as you can see. That's something going towards Wendover and you'll see that that is Jack and Olive's house. The rain, basically, drains downwards and they flood; quite a few houses along there flood. Then you can see Kumar's service station. That happens a lot. Rocky Lane – I mustn't forget Rocky Lane – because that has an asbestos water main, which always floods at the bottom. This is a continuing problem. So the people who live on the edge of Rocky Lane and are on the corner – Rocky Lane and our local A413 – have that sort of flooding. So anything that increases that flooding is of real concern to us. Of course you can imagine in the rain with traffic as well.

63. Can I have the next slide please? This is just to demonstrate to you Rocky Lane, the extract on the left is to tell you that at some point – sorry, Small Dean Lane – at some point will be closed, as will Rocky Lane. Small Dean Lane is very important to us – that must be kept open. At the time we did these slides, we were under the impression it would be completely closed off, but I think HS2 confirmed to the previous petitioner that it would still remain open to people walking and people on bicycles, and that's great, because that's our only – we think, I hope that's correct – our only route, if the road at the end is blocked, for us into Wendover. The elderly people who can't cycle, who can't walk, they have to be able to get through in a car. So if the A413 is blocked off, during an accident or anything, we have to have access via Small Dean.

64. May I have the next slide please? That again is just to show you where Small Dean Lane goes, and where it will be closed temporarily, but if we could possibly have part of it open for people in cars as well as for bicycles and walkers, that would be great.

65. Next slide please? You can see – and you've heard from Dunsmore so I shan't repeat it. It's a rat-run, rat-run hell, rat-run city. Robert comes back from work and he's sometimes back at one o'clock because there's been an accident further down and everyone is going like this. It's gridlock. Also, at the Rocky Lane, up towards The Lee.

66. Next slide please? We took some nice photos of Dunsmore Lane, on a sunny day. Julie is the one in the left, she's not a big woman; the van is not a big van. That is where occasionally construction traffic or traffic trying to avoid construction traffic will go, and at the bottom, that's looking down from the top of Dunsmore Lane, to the bottom, photograph on the right; that's where traffic will exit and enter. Sometimes you wait a while there as well. That's also the dangerous bit, that if you've come out of Rocky Lane, you're trying to turn into.

67. Then the next slide please? Small Dean Lane, we couldn't have hoped for two better pictures. That's Debbie in her post van. Then, they're cyclists. They're not big lanes. You can't pass like this, so if there's any problems on the A413 and people go up here, you can't. It's utter gridlock, and of course, that is where 'Os', who's speaking to you later, he lives down that road.

68. Next slide please? So really, how are we affected during construction? We need to know what the risk assessment is of our road. What risk assessment has been done on our road? It is reasonably foreseeable – and I'm using my words wisely here – it is reasonably foreseeable that if HS2 uses our road, there will be a traffic accident if they use it in the way that they're currently proposing. It is likely that that cause will have something to do with HS2. We need a risk assessment of our ability to get in and out of our homes, both in cars and across the road. We want to know what the situation will be if the roads around us are closed for us; we must have a risk assessment of our service road for the way that it may well be used and what could be done to minimise that. I've already spoken about flooding.

69. So now I'd like to move onto the next slide? Air quality. Look at the right hand side, with the elderly people that we have; they're fairly tough and they're not going to let a train get in the way of their lives. But sometimes health takes over. So air quality is of a concern. We know that there is a lot that is unknown, and that's life. In business, if something is happening and you're not sure what it's going to look like in the future, you do a 5-10% leeway don't you? You do a number of scenarios planning, and you have Plan B in case you are wrong and Plan B has to happen. We must have measures in place from now, right now, so that if HS2 is wrong about the air quality assessment they've done – which apparently is negligible, then they can monitor it and track it, and so can we. Then as you'll see later, we can work with them on it, but we must have

measures in place right now, because there's no data. There may well be unknowns; better to have systems in place to work out what they will be. We don't know, roughly, what the wind behaviour will be. We hear horror stories; we're not professionals, we don't know. Will the construction buildings affect wind behaviours? In London they certainly do. So really, what we're saying is, nobody knows what the future looks like in some areas, so let's be business-like and put something in place right now to assess what that might, scenario planning, 5-10% leeway either way, measures in place right now.

70. Next slide please? Views during construction? Hoarding design? There's some really nice hoardings in London; we wondered whether, perhaps, we could have something looking beautiful? I don't know but we must be involved in what the hoarding design looks like.

71. Noise during construction. Night time must be banned and weekends. We've all worked on construction contracts – we're basically, at the end of the day, everyone's working to the hilt just so they don't have to pay any penalty clauses. We must try and protect what we can, because we have nothing to protect us during the week from this, so we must at least have night time and weekends, and not Saturday mornings. Lighting during construction. We'd like to know a bit more about that as well.

72. Could we have the next slide please? Then this is the final slide about how we're affected during construction. This is happening now, and this is an extract from one of our neighbours: they haven't petitioned, but we'll be hearing about this exact same thing from someone who has later, from Julie. This is now – they are doing up their house and they have to – they wanted to borrow some money on their property to do windows, and all the sorts of things they're doing on their house. That was their aim, to do up their house, to add value. They've been turned down for a mortgage, or a charge over their property, simply because of the position of HS2. Those of us who are self-employed, might want to grow our businesses. If you're a director of a company or a sole trader, you often give a guarantee secured on your property. We're not going to be able to. Some people are coming to the end of the mortgage and might want to change their mortgage provider or go to a lower rate; that is a change in the legal holding of that property. We are going to be turned down for the usual things that most people, if they work for themselves or run their homes, are able to do. We are not. The Need to Sell

doesn't help us out with this; we must have something to guarantee something or other to protect us. They're now going to have to sell their house.

73. SIR PETER BOTTOMLEY: Can I interrupt for a moment? I think, Chairman, at some stage, we ought to consider how we can get the Council of Mortgage Lenders in, because this is an issue that is going to affect people up and down the line, in Phase I, Phase II, Phase III and the like; and if there's going to be a blanket refusal because of this rail project, I think the Council of Mortgage Lenders should be held responsible for working out the way in which they don't provide this automatic ban on considering a loan for those who might be affected?

74. MS DIXON: Yes, thank you. I note it wasn't envisaged this would happen; it can't have been, but it is. Thank you very much.

75. CHAIR: Thank you for providing us with that information, because people say things because very rarely do we get letters or something to have on paper.

76. MS DIXON: Yes. We have more; they've gone to about 10, there's more. Julie will be talking later. You can see theirs; we didn't want to put it on here.

77. SIR PETER BOTTOMLEY: Often when the leaders of institutions come in front of a Parliamentary Committee, they often find solutions which aren't available to people lower down the organisation, considering an individual application.

78. MS DIXON: Thank you very much for that. Then, just briefly, how we're affected post-construction, then I'll hand over to Margaret. Could I have the next slide please? Principally, post-construction: so when the building site that we will be living on has calmed down a little bit, we will have the railway line. Principally, we will be affected by the views, the noise and what we're calling our assets – which are really our homes.

79. Could I have the next slide please? These are the views – this is what HS2 said they would do. So we have things like new hedging, trees, balancing ponds, something called a woodland belt, woodland blocks – I don't know how that differs. I think our point really is, this is cosmetic – it's much appreciated – it is cosmetic. You cannot hide a viaduct. You can't hide it; and you can't hide an embankment. People have said to

us: make a choice. You cannot make a choice whether you want something looking beautiful and something that sounds horrendous.

80. So can I have the next slide please? Looking at this slide and then the next one. You'll be familiar with these. We don't really have much of a look-in when it comes to being acknowledged as affected by noise, really. They don't think we're affected by it. This is like air: if you don't know what the traffic or the noise or the view or anything in the future is going to be like, you plan for Plan B and you do it now. So you do your scenario planning. What does this look like if they're wrong by 10% or 20%? Let's have some measures in now, let's put some noise monitors in now so that we know what we're dealing with; and HS2 knows whether they've veered off course as and when they veer of course. But we have to know what Plan B is for us, what happens if they're wrong? Let's do some scenarios.

81. The other thing I would say, we are specialists in noise: we live on a road and we have a railway line. We are the only specialists in reality. It is the type of noise; it's not necessarily the volume for us. We have a lot of traffic that hums along beautifully. You get a motorbike that's not that much noisier – or the volume is not much noisier, you notice it because it's a different noise; and it's a patterned noise. Something that's a lovely hum is fine. But it's these patterns of noises. 34 trains an hour are not going to hum along unless you connect them all together and they never stop one to one. So for us, it's about the pattern. That's the only comment we can make, but nobody knows what it is going to be like, so I go back to what I said: scenario planning and please can we have some monitors in?

82. Can we have the next slide? Balancing ponds. I knew those as toxic ponds. I'm told that they're beautiful and lovely and wildlife, nature. We asked for them to be open air swimming pools, but we don't know what type they're going to be, but you can only try can't you?

83. SIR PETER BOTTOMLEY: They can't do their job if they're full of water before the floods!

84. MS DIXON: Okay, so we only swim when it floods, fair enough! The point is, we don't know enough about them, and we would very much like to be involved with the design of them, because they are all around us. We have quite a few: we have two in

front of us, some further down the road, and some, I think, further up the road. There are so many unknowns for us, every unknown that there is, we are in the middle of it. So our message, really, is: let us get involved in them. We try not to listen to rumours; the best way is to get us involved in the design. That's really – I'll stop there, because in a minute, I'm going to actually – actually no, I will carry on and just do what we want to happen, and then I'll ask Margaret.

85. Next slide please? There are four areas really that we want to think about. For us, it's the aesthetics, it's being part of a construction site, it's continuing to live as a community, and it's a compensation scheme.

86. Next slide please? Underground tunnel. We don't know, even, how an underground tunnel would affect us, because I'm assuming we would still be used, but we will take it; we will take any tunnel you can give us. As we said earlier, we particularly like the one that the Wendover Society put forward. But, we are trying to be as reasonable as possible, and to help ourselves live there. We're not having a tantrum and tears; we are trying to work on this. We have to make a choice between views and noise. The only option for us is an underground tunnel. It solves all of our problems. As I said, if it's going to be a choice of viaduct and embankment – or, sorry, noise reduction and view: can we please be involved as a community? Don't expect us to have a say through Wendover or anywhere else? We are a community. Balancing ponds, again, can we be involved as a community. Everything around us is going to affect us, the views and the aesthetics of it. So we need to be – we are happy to be involved and collaborate with HS2. That's what they said they want, so they should do that. We must be considered in every relevant impact statement by HS2, as a road, as a community.

87. Can I have the next slide please? I've written this in detail so that HS2 can take it away as a checklist. Everything seems to come down to this Code of Construction thing which is beautifully written, sounds wonderful. But when I asked HS2 whether they could give us any examples when it was used for the Olympics – I gather it was based on the Olympics – of how many complaints were made about it, etc. so we could get some idea of whether it was reliable, they couldn't give us any information. So I would like to know, if that is the chosen standard, why have they chosen it? What have been the problems with it? What have they learned about it? They are asking a lot of us –

they are asking us to rely on a document that seems to have the answer to everything.

88. In order to minimise the risks to us – and it's on that basis that we have done this, and to be collaborative, and to avoid numerous litigation claims, which we are quite happy to take if we want to but we shan't at this stage – we need monitors in place from now, regarding air and noise, as we've already said. We would like monthly meetings, once construction starts, regarding the next months' plans, with the construction leads for all three construction sites around us, Friday afternoon for the next month, something like that. And we want the traffic flow predictions for that following month built in, from broader afield, so we can plan work together. If we know something is happening, there'll be an increase in traffic. We won't plan a party; we won't plan to have hospital appointments, etc. Because we can manage if we know in advance. We mustn't – we cannot rely on an ombudsman or whatever the idea is. They have no teeth.

89. In relation to the monthly meetings ourselves, we – Bucks County Council doesn't turn up to meetings; they are supposed to be the ones that are supposed to be, if you like, protecting us from the HS2 – which is David versus Goliath. It seems to us that HS2 is also riding roughshod through Bucks County Council; they do not seem to be able to cope. In that sense, then, who is going to monitor and make sure these meetings happen? You are going to hate this, however, I think something – or we think something like this Committee, not necessarily you, should stay in place until it is built, so that anybody who has any concerns – and I don't mean whinging concerns, I mean big concerns, can be brought to a place like this once every six months. Because it's the fear and the distrust that drives all of this. If you get rid of that, and you know that there is a place you can go to have things sorted by people who have clout with HS2, because Bucks County Council won't, then actually it makes it a lot easier to be collaborative.

90. Use of Chiltern Rail. Please, never use Chiltern Rail at night; they do occasionally do some work on the Chiltern Rail, and it's not so bad. But please don't, please don't increase its use on current proposals. We like the Chiltern Rail as it is – it's our only break, it's our only view.

91. Use of the existing A413 – and I use existing deliberately – never use our local, existing road outside our house at night, and give us a break at the weekends. Give us a break from construction work. We would like a haul road, which is what we were going

to talk to Bucks County Council about. We mentioned it a while ago. We heard nothing from them about what they thought about it, until we had the PRD from HS2 when they said, 'Bucks County Council don't want it'. How do they know when they've not done any work on our road or anything? How do they know we can't have it? So we would like a haul road that becomes the new A413, which would probably fit quite nicely with the potential growth, as a result of Aylesbury. We would like some work done on that; we can't do it, but we think that should be looked at. Then, possibly, relocate it if it gets too bad. Other people have asked for that. Our aim is to stay through this; we want to work with it. But if it gets really bad, we should be relocated from the centre of the construction site. We need, as I've said – we don't trust a document; we need to know that it's been reliable.

92. Now, I think, I would like to turn briefly to Margaret who will basically tell you why we actually like living there, and then I'll go to the compensation scheme problems that we've got. Am I alright for time?

93. SIR PETER BOTTOMLEY: I think the Members of the Committee don't mind. We've heard a lot from people some way away who might be affected a little; you're very close and are affected a lot. So don't feel under any time pressure.

94. CHAIR: And you're quite jolly.

95. MS DIXON: I was going to ask you for a joke after the first 15 minutes, but I didn't know whether that would be appropriate. So do feel free. Margaret? This is Margaret and she's one of my neighbours.

96. MS COLE: Good morning.

97. CHAIR: Hello, Margaret.

98. MS COLE: My name is Margaret Cole and I live with my husband John at New Hope Lodge, London Road, Wendover, HP22 6PN. Our petition is 887 and 888, are among those in the presentation by our Roll B Agent, Sara. This is a short statement about our community and why we like it here.

99. For myself, we've been here since May 1991. Like many others of our generation, we benefited from the property boom which resulted in our living in a house

and an area to which, even in my wildest dreams, I could not have aspired. Throughout the many moves in my life, there have been problems and disruptions until now. We've become a community and I feel safe here.

100. Casual visitors to our community tend to see it as a not particularly tranquil place. They see a main road, the A413; and we have a railway, the Chiltern Line, running along the bottom of our gardens. They see a garage and two semi-industrial units. What they don't see are our gardens, which are quiet and peaceful; or our incredible sunset skies. We have a modern health centre in Wendover; and three first-class hospitals, Stoke Mandeville, High Wycombe and John Radcliffe in Oxford. Local bus transport is poor for us, but a short car ride along the A413 takes us to two Chiltern Line stations, and the national bus network.

101. You will have seen from our presentation that people who move here tend to stay. Ours are good, family houses, on relatively generous plots, and we have excellent local schools. For the self-employed, there is space to create private work areas. As a result, some residents have spent substantial sums of money to expand and improve their homes; decisions that were never about a short-term gain. With HS2, those investments may never be realised. For older residents, their years of quiet enjoyment of their homes will end with the start of construction of HS2 and they may never see it return. We do have issues. We have no mains gas, no mains drainage, no cable, and no fast fibre broadband. A move to another area would probably have all these, but it would be at the cost of what we've built here. A well-developed, mutual support system has grown up here, and we greatly value the knowledge that we look after each other. Only a full tunnel will stop the fragmenting of our community. I'd ask you please to give your support to this request. Thank you.

102. CHAIR: Thank you.

103. MS DIXON: That is why, on the slide that you have in front of you, we want your help to help us stay and live there. The slide you have in front of you is all about, 'How can we stay?' Haul road, the new A413 would help. Access out of and across the existing A413 on foot or transport, that would be, I would imagine, fairly complex, but I think some work has to be done on that. Protect our ability to cycle or walk via the existing A413 and Small Dean, even if you can't protect the right to drive along it. And

we must have a risk assessment of the existing A413 dangers, Dunsmore and Rocky Lane – that screeching is horrible when it happens, and action to protect us and all these people behind me as we use the road.

104. This final Christmas tree was worth a shot. In the olden days, you had a Section 52 agreement; or Section 106 they're called now – I won't call it a bung – but if you wanted something and you wanted to develop, you had to pay something in return. We have a lovely Christmas Tree field behind us and we wondered if somebody might want to buy that for us in return for HS2 putting something through our land. But actually, the point about that is that we are very, very concerned at the power struggle and the ability of Bucks County Council to actually protect us. We are very concerned that this is not a Section 106 type power relationship. It is – it feels like HS2 – and I will be a little bit dramatic – is not just ploughing through the countryside. It's ploughing through Bucks County Council.

105. CHAIR: The Bill does require HS2 to come to agreements with local authorities and that has been happening all the way up and down the line, where local authorities have engaged with HS2, agreements have been undertaken.

106. MS DIXON: It may just be then that those have already happened and we've not got to that stage with Bucks County Council yet.

107. CHAIR: I think Bucks were more focused on the arguments about tunnels than the arguments about the detail of traffic and other issues, which we're sort of coming onto. So, local authority do have a lot of power and sway and are perfectly – and clearly also, in order for HS2 not to have their traffic sitting on the A413 with everybody else's traffic, then the highway authority are going to be pretty important players, not least because most of them have got computer modelling for what happens to roads. There's work at the moment going on, with junctions, to see how the junctions on the A413 can be improved. But I'm not sure that we – outside the Bill limits, we can't impose roads on Bucks. But, where there is an argument for investment in a highway then it's something that local Members of Parliament may wish to take up with the Department for Transport. Up on other parts of the line, MPs have been using a hook: 'Because this is coming through, perhaps we can have a bypass, perhaps we can do other things?' Because there is several years until the project is likely to have a big impact, then there

is leeway there for some highway improvements. But one just has to be thinking now about what one can do.

108. MS DIXON: Well, we look forward to seeing Bucks County Council.

109. MR HENDRICK: I think you can keep up to date with it as well, and liaising with your County Council.

110. MS DIXON: We try, but they don't turn up to meetings. So I think that, so far, we're not that impressed. But I think perhaps if they see us as more of a community then we might be kept more up to date with things possibly.

111. Shall I move onto the compensation scheme for the moment?

112. CHAIR: Yes please.

113. MS DIXON: Next slide please? It seems silly, really, to talk about being compensated for something that's going to make us move away from our houses, because that's the only basis on which the compensation schemes seem to work. Again, look at our age groups: our houses are our homes; they are our pensions, as with everybody down the line. They are an investment in the future; they are a reward for the past and, as you've already pointed out, they are the ability to generate funds for business growth. A lot of us are self-employed; a lot of us are retired. Our houses are not transient places; they work for us if we're self-employed; and they protect us and reward us if we're retired.

114. May I have the next slide please? This is a rough idea of where we are at the moment. None of us, apart from Vince and Mandy – Mandy is at the back, we're back in October – come within the compulsory purchase scheme. None of us come, as far as we can tell, within the voluntary purchase scheme. We're not sure how many of us are entitled to a home owner payment because – we try to track who has had what information and try to coordinate it, and some people have had something saying that they're entitled to a home owner payment, and other people who are clearly closer to the line, haven't. So we wondered whether it would be possible for HS2 to do a summary of those who they think, further down the line. Need to Sell, we're not sure. I'll come back to that in a minute. We had a think about this. Initially, when we put in our

petitions, as we said, we all thought we wanted to just go. And then we thought about it more clearly and thought, 'Well, let's try and make it work'. Eight of us – eight houses, sorry – would be quite happy to stay if it's workable. Six of us are thinking, 'I'm still not absolutely sure'. Two are being forced to move because of how the compensation scheme is operating. Two Need to Sells are completed. One Need to Sell is agreed, subject to completion. Two Need to Sell applications are currently being made, one of which is within one of the forced ones.

115. CHAIR: What do you mean, 'forced'? You have to apply?

116. MS DIXON: Because the only way to realise, as we'll hear from Julie, their cash flow problems, is to sell their property, because they can't get a charge over it for securing debts etc.

117. CHAIR: This comes back to the credit problem?

118. MS DIXON: Yes.

119. CHAIR: Right.

120. MS DIXON: Next slide please? I go back to the basics of compensation, which you should be compensated according to your actual loss, not numbers. The existing A413, that which is the construction route, is actually our railway equivalent, pre-construction. Post-construction, the issue is the railway; but our railway, pre-construction is the road. It's as bad as the railway could be for some people post-construction; all the compounds. I just repeat there again – that the left hand side, right hand side, how far people are from the line, versus how far they are actually from the cause of the nuisance. A compensation scheme compensates you for nuisance of some variety.

121. Full compensation: some people have already suffered losses as Julie will show you. But it has to be full compensation. In some senses, if you take – we live in our houses because they're cheaper than anywhere else because they're not in the middle of expensive Wendover, which doesn't have a road, we live where we do. If we take those houses, if - but for HS2, if you take those houses and say, 'We'll put you somewhere as if HS2 weren't happening', we couldn't afford anywhere else nearby. So you give us,

say, I don't know, £100 for our property. In order to buy a property similar somewhere else nearby, we'd have to pay £150. So, that's not – if you're only giving us £100 – it sounds very greedy – but if you're only giving us £100, that's not £150, that's not full compensation. It needs to be fairly recognised as being compensable, the nuisance that we're suffering, not the distance. The reality of living in a compound needs to be fairly recognised that that is a loss that we are suffering. And it needs to be a friendly process. So far, it seems okay from what people tell me down the road. There is one area I'll come to in a minute, other than that.

122. Could I have the next slide please? Give us the same rights as anybody else. Why does it have to be a need to sell? What happens if I'm just a flibbertigibbet and I just fancy moving every now and then? Anyone else can, why can't I? I'm not given to asking for permission from anybody to do something if it's legal to do so. I own my property, so why is not the freedom to sell like you do. You don't have to ask anybody's permission to move. The scenery changes, you get fed up with living where you do, you change as long as your job lets you or the schools let you. Why do we have to ask for permission? It's ridiculous. Why do we need this compelling reason? It is so obvious that we have a compelling reason: we're in the middle of a construction site. We may not choose to use it, but we should be exempt in some way, in places where it is so obvious. So I don't know if it's possible to have specific zones.

123. I was visiting someone who was filling in their Need to Sell and there's nothing particularly wrong, as I said – people are friendly on the phone, they're very helpful. But he was on his 41<sup>st</sup> draft. It's horrible to have to go through it. It's horrible, it really is; when it's so obvious we shouldn't have to do it. Why do we need to market in what we're calling a, 'You must be joking' area! You go to a local estate agent and say, 'Can you put...', and they say, 'You must be joking', or words to that effect, 'Give us two grand and we'll think about it'. There are zones where you shouldn't have to market your home. Some people have put their house on the market just to see what happens. We love our houses and we have to put up with people coming around to have a look and then have them say, 'HS2, no'. It's painful. We don't want to have to do that.

124. CHAIR: If it helps, we will revisit Need to Sell and some of the issues you're raising in the autumn.

125. MS DIXON: Thank you.

126. CHAIR: And maybe generate a further report, because it's working a lot better than the Exceptional Hardship scheme, but there still are a number of concerns which are being raised with us.

127. MS DIXON: Yes, and I'm sure it wasn't intended to be that way. And obviously, therefore, you'll be looking property bung etc. as part of that process.

128. May I have the next slide please? That's the end of me burbling on, but I would like Julie to tell you their experience, if that's possible?

129. MS LUE: Good morning.

130. CHAIR: Morning.

131. MS LUE: Having been caught up in one of the worst recessions the construction industry has experienced, we needed to raise capital to make sure we could keep our business going in the short-term for cash flow purposes, so we decided to explore releasing our home as an asset by placing our house on the market in January 2010. We took this as a proactive, sensible step that any business would take at that time. We did not particularly want to take out loans at this stage, as our house was of sufficient value for us to sell it. We had equity in our home that we could use. As the committee is aware, HS2 was announced in March 2010, immediately our house was blighted. In order to keep our business afloat, we had no option but to use credit cards as clearly we couldn't release the value we'd built up in our home by selling it. You will be aware of the high rate of interest on credit cards. We borrowed funds from family members and, critically, we had to cash in our endowment policies. We will never be able to replace these at a similar rate than the ones we had.

132. In October 2010, we applied to the HS2 Exceptional Hardship Scheme. We were rejected due to the lack of evidence. The evidence we provided was from our accountant who we felt was the person best placed to demonstrate our financial situation. We saw a solicitor who said that we would only be successful under the scheme if we were to be declared bankrupt. We are a business; that would mean we would never be able to get business funding or indeed, any other funding again.

133. In April 2015, we applied for personal loans to consolidate our accruing debts. The appointed chartered surveyor valued our house at nil. His remark on the valuation report is, 'We are of the opinion that the only purchaser for this property would be the acquiring authority for HS2'. We moved to our house and lovingly invested time and effort into it because we wanted it to be our home for a very long time. Initially we put the property on the market, reluctantly, to support the business before HS2 was announced, because we did not want to be dependent on loans or high interest credit cards, to keep the business going in a strong position through the recession. Then our home became unsellable, because of HS2.

134. We were then put in the position where the only way to keep the business in a strong position was to borrow. We looked at HS2 to help us out and they failed to do so. The only way we can now sort out our financial problems caused by HS2 is to move. We couldn't stay even if we wanted to because we have to sell our house to HS2 under the Need to Sell Scheme. What happens if our financial difficulties are still not compelling enough a reason for HS2? If somebody from HS2 could guarantee the value in our home, lenders may well lend to us, instead of us having to sell it. Our property has remained on the market for the last five and a half years, attracting no interest whatsoever. The longer the Parliamentary consultation of HS2 continues, the deeper our debt will become. We have recently applied for the HS2 Need to Sell Scheme and we are waiting for a response.

135. Just the proposal of HS2 has caused us undeniable hardship, coupled with the knowledge that there is no repayment of our losses both financially and personally. Surely this cannot be right; we are hardworking people who run our own business. We are trying to do everything right, yet whether we are able to move on with our lives is in the hands of HS2.

136. SIR PETER BOTTOMLEY: So there are two sides – just to interrupt for a moment – one is the present situation, and the other is why you were put in that situation when, quite plainly, whoever considered your application has no understanding of what it's like to be running a business and the alternative sources of funding, we will wait to hear.

137. MS LUE: Thank you.

138. CHAIR: Is that it, Sara?

139. MS DIXON: Yes.

140. CHAIR: Mr Strachan?

141. MR STRACHAN QC (DfT): Thank you, I am just going to deal first of all with the question of the operational effects, but before I do, can I just make a preliminary point? I noted with interest that Ms Dixon was talking about wanting many residents want to stay and want to be able to stay during the construction and the operation of the railway, but there's concern about what it involves, and what it involves both in construction and during operation. I recognise that, and it seems to me that it's very important that there's a lot of information about what construction involves, the processes and controls; but it's very important that Ms Dixon and this community understand and have the opportunity to get more information from us. I would certainly suggest, if Ms Dixon is prepared to agree to this, that there's a meeting with HS2 people who can take her through a lot of the detail of what's involved in terms of construction and the operation and a lot of the controls that exist.

142. I say that, I'm going to just summarise them now, but there is quite a lot of information, but it clearly – there are still concerns about what it involves so the information is not necessarily getting through in a way that I would like, so I would suggest that there is that meeting. I am sure Ms Dixon would be prepared to have it. If we can have it with Bucks as well, excellent. I can't speak for Bucks, but they're obviously particularly involved and relevant for the control of traffic along the A413 and measures to deal with construction traffic and, of course, future traffic growth on the A413 which is a feature of this location anyway, regardless of HS2.

143. CHAIR: We would also like to know, as a Committee, when the meeting is held and a report back?

144. MR STRACHAN QC (DfT): Yes.

145. CHAIR: About what is going on and what the discussion – about whether it was moved forward?

146. MR STRACHAN QC (DfT): Yes.

147. CHAIR: Because what we don't want is to have a meeting that nobody turns up to?

148. MR STRACHAN QC (DfT): No, I can understand that. I can't commit Buckinghamshire County Council to the meeting, but certainly it would make sense. In addition, the Additional Provision 4, that's AP4 as we call it, does have changes to the traffic arrangements which would affect the A413 and Rocky Lane, because as you've heard one of the features of AP4 is to try and reduce traffic along the whole length of the A413. There are consequential effects on Rocky Lane, so those need to be explained to Ms Dixon and the others in the area, so that will also form part of that meeting.

149. Can I just take it in stages, then, and just deal with construction, operation and I'll come back to compensation last? On construction, if we just look at P7548 – and what I'm saying now is certainly not meant to replace the useful meeting, it's just a summary at this stage, but just to give you an overview? P7548 just shows the key areas of concern to Ms Dixon. As I indicated, London Road is here. Ms Dixon referred to three compounds: there is one off to the left here, which is the Small Dean Viaduct main compound, which is accessed from a different area, and we don't anticipate that having a material effect on Ms Dixon's properties. But the principles that I'm just going to just refer briefly to, about how compounds will operate and the controls on them in terms of noise, hoardings will apply to that compound as to any others. But the most immediate ones closest to this part of London Road are of course the Small Dean Viaduct launch satellite compound, which I'm pointing to; and the Rocky Lane underbridge compound.

150. As the committee has heard, whilst of course HS2 as a whole has a construction period which is of six or seven years in this area, the use of these compounds varies depending on what's going on at any one time. So, the Small Dean Viaduct launch satellite compound which I'm just pointing to here, which is obviously concerned with constructing the Small Dean Viaduct is actually operational for approximately two years, rather than the longer period that was referred to, and there are some details about it in the Environment Statement, but again, I think we need to explain this in more detail to Ms Dixon. That will generally be accessed by the site haul road from the Rocky Lane compound. So, where it's possible, we've sought to introduce haul roads for access which keep traffic, so far as possible, off the roads. That clearly is not possible in all cases, and as Ms Dixon points out, the Rocky Lane does serve as an access for a

construction traffic route to join the A413, which is taking that part of any mass haul along the A413 before it goes back onto the trace. Just by way of explanation, the reason why we have to go onto the A413 is of course, one can't have a trace in the vicinity of the viaducts, because it doesn't exist. It's sometimes been referred to as 'blockers', but you can't a haul road in that location so one has to join the roads at certain points, and this is one point. That is why we will be controlling HGV traffic and other traffic through the transport management plans in this location.

151. So I just wanted to – Rocky Lane – I think I referred to it as an overbridge, it's an underbridge, apologies if I mis-said –

152. SIR PETER BOTTOMLEY: You said underbridge.

153. MR STRACHAN QC (DfT): Oh did I, good!

154. CHAIR: We do listen to what you're saying.

155. MR STRACHAN QC (DfT): I thought I'd said overbridge. The Rocky Lane underbridge is constructed from the Rocky Lane site. What happens in that location, as I think Ms Dixon showed on some slides, is that there is an off-line diversion, so Rocky Lane remains open, so it's never shut, because we construct the underbridge whilst the traffic continues to flow, and then put the traffic back onto it, in the way the committee has heard, in other locations. So we are seeking to try to minimise interruption of flows. Of course, there is – and this is, I think, a central concern of the residents here, there is a need for construction traffic and HGVs to come from the Rocky Lane site to join the A413 and there is some traffic coming up the A413 from lower down on the scheme. That, of course, will have to be looked as part of the transport management plan, the traffic management plan, with Buckinghamshire County Council. I can't speak for Buckinghamshire and their meetings with Ms Dixon to date, but certainly they are taking, so far as we're aware, a keen interest in traffic management along this section. They have already identified sensitive junctions which they require us to do further work on, and this is one of them. The Rocky Lane interface with the A413 is one that we are looking at, and will be dealing with Buckinghamshire County Council in detail. There's no reason why we shouldn't keep Ms Dixon fully informed as to what the proposals are. As part of that, of course, if there's a need for regulation on that junction, we will have to look at what measures need to be introduced. There was mention of a

crossing of the A413 by way of a light crossing. Those are the sorts of things that can be looked at; I just put this caveat down, that Buckinghamshire County Council has highway authority will also be concerned to ensure continued flow along the A413 and sometimes – and I’m not saying in this case – and sometimes the introduction of further light signals actually exacerbates a problem rather than cures it. Not always –

156. SIR PETER BOTTOMLEY: Not for people trying to cross the road.

157. MR STRACHAN QC (DfT): No, that’s certainly right. It enables people to cross the road, but I can have a knock-on effect on the congestion along the road, including the access roads that are of concern for people exiting properties. So I’m not trying – I’m not ruling anything out, but clearly it’s something that Buckinghamshire County Council will have their own views on as to, if there is a problem here, what the best solution is.

158. CHAIR: Sometimes petitioners ask for something, we think that’s a good idea, then the local highway authority says, ‘No, it’s not a good idea’, and it’s at that point they have – they know their roads very well, but it isn’t always –

159. MR STRACHAN QC (DfT): That’s all I – I’m not trying to defining what should or should not happen at this location, but clearly these are the sorts of things that need to be looked at, as to whether there’s a problem with the junction, and if so, what sort of measures are most effective to introduce. There is clearly –

160. SIR PETER BOTTOMLEY: Just to be boringly, blindingly obvious, if I want to cross the road, I either do it when the traffic is moving or the traffic is stopped. Those are the two alternatives.

161. MR STRACHAN QC (DfT): Or when there’s a gap in the traffic, yes.

162. SIR PETER BOTTOMLEY: In peak hours, there isn’t a gap in the traffic.

163. MR STRACHAN QC (DfT): Well, I don’t –

164. SIR PETER BOTTOMLEY: And there’s no central refuge, as far as I’m – let’s leave it like that. I just want those who consider these things to understand plainly, that there are people like you, like me, living on London Road whose access to basic

shopping is on the other side of the road. Do they have to have a three-hour gap in the morning and the afternoon when they can't cross the road? The answer is, they shouldn't.

165. MR STRACHAN QC (DfT): Well, I am obviously agreeing in principle, but there –

166. MR HENDRICK: I sat on a highways authority for eight years and the problem with a crossing where there's a light is you get what's called a bunching effect, so obviously when the lights are on red and people are able to cross, the traffic coming up to the lights bunches and if it's happening regularly, then you get bunch after bunch after bunch, rather than a nice flow of traffic. From a driver's perspective, obviously, it's inconvenient. From the perspective of a pedestrian, then obviously it suits the pedestrian fine, because the pedestrians can cross as and when they feel like it with only a wait of a minute or two from the light going from green to red. So it depends whether the highways authority or the local authority itself wishes to give more power to pedestrians or whether the traffic situation is more critical to the operation of the local economy.

167. CHAIR: I think Sir Peter has made the point which no doubt the project has heard and clearly there will be further discussions between the County Council and residents and HS2 about how this situation is managed and until that is done, there isn't very much more we can do on that.

168. MR STRACHAN QC (DfT): What I was just seeking to emphasise is that these are the sorts of things that one expects to be looked at as part of the processes which are form part of what we have set up to do –

169. MR HENDRICK: The big thing – and that is why I asked you about your County Council earlier, is whether or not your County Council is batting for you in saying that, 'Alright, traffic is important, but the pedestrians and the local people are important'. You need your County Council to pitch in on your behalf, and where he can't, at the very least, your MP?

170. MR STRACHAN QC (DfT): As I say, I can't speak for Buckinghamshire County Council. It sounds as if there's an existing problem there from what the residents are

saying, so in a sense, there may be an existing problem which may have to be addressed in any event, regardless of HS2. So, I just don't know, but that's something –

171. CHAIR: Can we go onto weekend working and evenings? There is quite a large civil engineering going on here, is there going to be required some weekend working, or will that be the exception?

172. MR STRACHAN QC (DfT): Generally speaking, that would be the exception because this isn't a site, as I understand it, which is identified for, unlike a tunnelling site, where we would expect to be applying for 24 hour working. So, the expectation is for the core working hours as set in the Code of Construction Practice which are 8.00 to 6.00pm on weekdays; 8.00 to 1.00pm on Saturdays; but there's the ability to apply for additional hours and the guidance identifies that those hours, if they would be required, would be included within the LEMP, as it's called, the Local Environment Management Plan, which is another document I just wanted to draw attention to, primarily for Ms Dixon. Because, under the Code of Construction Practice, it's intended to have these Local Environment Management Plans drawn up in consultation with the local communities, and there's an annexe to the Code of Construction Practice which sets out the sorts of things that would be included within the Local Environment Management Plans. The idea of those, just to be clear is that, whilst this is a Code of Construction Practice which is intended for the whole of the scheme, there is a process by which one can involve the local community to adopt a location-specific plan to deal with the environment whilst construction is going on, and therefore on core working hours, we're not expecting to exceed those, but there may be times when it's beneficial to have working hours outside those times. One example, just as an example, is when you are doing an offline diversion, and you need to put the road back onto its original tie-in works – which generally can take place in a matter of overnight type working, sometimes it's best to do that when there's the least amount of traffic on the road, and that can be during the night. But's a sort of one-off type event. Other occasions, where you've heard one might apply for exceptional working hours outside those times, is when the seasons would benefit from it. The general intention is to minimise disruption or to minimise the amount of work going on in the area. So all of these things are intended to try and –

173. CHAIR: And the Local Environment Management Plan isn't something which is

fixed; it's something which is ongoing?

174. MR STRACHAN QC (DfT): Yes.

175. CHAIR: So let's say that construction work starts in a particular area, and there's an agreement on working hours, and the residents have a concern about that; there would be a vehicle for them to say, 'Can we alter this?' or, 'Can we have a discussion about how these things are managed?'

176. MR STRACHAN QC (DfT): Absolutely, there is of course – there is the Control of Pollution Act 1974 which primarily deals with construction work sites, and those provisions will apply to these work sites, where we will be seeking consents. Again, the power of the local authority to control – and exercise control – over the work sites.

177. Now, I'm trying to get a lot of detail in; I know the committee is familiar with it. This is why I think it's important to have the meeting with Ms Dixon to take her through some of this detail, because there is an awful lot in the Code of Construction Practice and that will be in the Local Environment Management Plans which is plainly of interest, bearing in mind the points that she's raised, but cover an awful lot of the topics that she identified. So, for example, hoardings: those are required to be designed, taking account of the local area. So those sorts of things are measures which we would expect to come forward as part of the Local Environment Management Plans, amongst other things. There is a whole host of things.

178. CHAIR: What we've heard is the Code of Construction Practice escalates. So if there's a problem locally, is to solve the problem quickly, not to actually have a complaint, six months later, somebody says, 'This was...' – you know, it's to try and deal with it. So you end up with complaints that's failed. There should be information locally so that people can put in complaints if there's rubbish on roads or if something's going wrong.

179. SIR PETER BOTTOMLEY: Additionally, if I may, I think what I was hearing from Sara Dixon, is that if you're going to have hoardings or screening, whether some consultation with local residents, and imagination, whether something can go up which is relatively attractive, rather than just plain, boring hoarding which might be perfectly suitable in some other area?

180. MR STRACHAN QC (DfT): Yes.

181. SIR PETER BOTTOMLEY: Taking into account the context of local wishes, it's something which I don't think would add much to the project but might make a significant difference to local people?

182. MR STRACHAN QC (DfT): Yes, well I can see that, and what the Code of Construction Practice currently says is, where hoarding is required, it will be 2.4 metres in site, raised to 3.6 metres and possibly altered in form so that there's a general statement of what's required. But further details will be included within the relevant Local Environment Management Plans. So the details of the hoarding will go into the plans, but the plans in order to be drawn up have to take account of consultation with the local community. So certainly, that process of them getting involved in what the hoarding should look like, is something which we are already putting into this process.

183. SIR PETER BOTTOMLEY: And you may have said this already or may be planning to say it in future, but in terms of these hoardings, could you please recognise the London Road residents as a community for this basis, rather than the whole of Wendover?

184. MR STRACHAN QC (DfT): Yes, as I said –

185. SIR PETER BOTTOMLEY: Will you try to?

186. MR STRACHAN QC (DfT): We will try, certainly.

187. SIR PETER BOTTOMLEY: Thank you.

188. MR STRACHAN QC (DfT): And I think the other thing that cropped up was about risk assessments in relation to traffic. Generally speaking, as I understand it, there are risk assessments that have already been carried out. I don't have the precise locations of them with me at the moment, but clearly the A413 junctions with Rocky Lane with construction traffic, any measures that are introduced there, will need to be the subject of safety audits, if there are going to be changes to any of the junction layouts. I hope that is some assurance to Ms Dixon in that respect.

189. CHAIR: When we dropped into Aylesbury, we were told the house build in

Aylesbury was some of the highest in the United Kingdom in terms of growth, and one can see that as you drive around. Your count on the assumption is as a result of local growth, as well as HS2, clearly that's why it's important for the county and the project with the residents to get together to sort this out, because whenever we've arrived anywhere, the first thing you find out, there are traffic problems, even before HS2 arrived; because of local growth and country roads.

190. MR STRACHAN QC (DfT): So I go back to the first point I made: plainly, the detail of this needs to be discussed with Ms Dixon, so I'm going to suggest a meeting itself.

191. Can I turn to the operational effects, because once the construction has occurred, of course, the line will be there. If I just show you P7571(4), this just shows – just to provide some assurance I've got the right plan here – if you could just zoom into this location? I just want to provide some reassurance that even if the London Road appears on the right hand side of the part of a plan, we certainly are still carrying assessments and have carried out assessments in the Environmental Statement of these properties and this community. These are just showing noise and vibration monitoring assessment locations, which have been done for the purposes of the Environment Statement, including those at the sample properties on London Road, close to these sites. What you can see here is the embankment that's behind London Road, and I'll just show you the effect of that, but there is an embankment with a false cutting; you can see on the edge here. So where the line is closest to the properties, the lines – there is the embankment of course, but the embankment is designed to provide protection to the properties in operation in noise and visual effects.

192. I can show you that in a little more detail, 7573(4), again, if you just want to zoom into this section?

193. SIR PETER BOTTOMLEY: Is this construction or operational noise?

194. MR STRACHAN QC (DfT): This is operational noise. And you can see, if I just show you here, the 3 to 5 metre is showing the run of the embankment up to, I think, 5 metres where one is obtaining a 3 to 5 metre protection in terms of noise and consequential visual effects. And then the noise contours that are coming out here, the bulk of the properties are in the yellow contour in London Road. And in the noise

assessment that's been carried out, as you'd expect – and I don't think Ms Dixon suggests otherwise – a lot of the noise environment currently is dominated by the existence of the road. To some extent the railway but that's less frequent; but certainly the road noise. And we're not anticipating any major changes in the noise environment from the operation of the railway. I think the closest property which was looked at, which has an ID number 368776, so that was I think approximately... If I just move the arrow, without the scheme there were daytime levels of 54 dB and 46 at night Leqs. And with the scheme it's day 56 and night 48. So a 3 dB change during the day and 2 dB at night. And both of those are below the relevant contours of concern.

195. There are LAmax' in our scheme of about 67 in that location and 76, I think, at 356932 which is nearer. And those compare with some fairly high LAmax' which exist already in this location. Property 356932 already has, or would have, an 83 dB LAmax in this location. So I know this sounds rather technical and, again, it's something that you need to talk through, Ms Dixon, but the broad message is we have assessed the effects of noise; we are identifying where there are increases; and indeed where there are minor adverse effects. But, generally speaking, we have sought to mitigate the noise and the visual effects by the embankment with the false cutting. Of course there will be a view of an embankment but it's designed to mitigate the effects of the railway.

196. Further across, of course Small Dean viaduct, that is a viaduct and you can't screen the viaduct because of its very nature, but it is further away from the properties itself and it's further down the road; and the noise effects are such that they're not predicted to cause Small Dean viaduct a significant problem to the properties. So, again, that's something we can clearly talk through –

197. CHAIR: So it sits in an area where there is a fair amount of noise at the moment. We've discussed it at some point – somebody raised the issue – of the issue of the road surface on the A413 and whether or not the road surface could be looked at to try and lower the ambient noise. Even if you can't hear the railway it makes the place a bit quieter. Is that something which could be discussed with Buckinghamshire Country Council?

198. MR STRACHAN QC (DfT): It could be discussed but, as I understand it, Mr Thornely-Taylor may have already... Or if he didn't say it, he certainly said it to me

but the benefits of road noise resurfacing only come in at a certain road speed level and I'm not sure whether they would work at 40. This is a 40 mph section. I don't know. I'll find out. They're more beneficial at higher speeds where you get a 2 to 3 dB reduction in noise roads. But I'll find out more about that.

199. So Dunsmore Lane, which is referred to of course, is not proposed for construction traffic routing although there may be times when Small Dean Lane needs to be closed for that temporary period of nine months to traffic where more traffic uses Dunsmore Lane. Again, we're not anticipating significant amounts of traffic increases on the Dunsmore Lane from our scheme.

200. Balancing ponds you heard about. There are some balancing ponds in the locality. Can I just put up 7600(1)? This is within our material but it just gives further detail of what a balancing pond does. And, as Sir Peter already identified, despite its name it's not a pond for most of the time. It is designed to be an area of land which –

201. SIR PETER BOTTOMLEY: It's hollow.

202. MR STRACHAN QC (DfT): It's hollow. It's a piece of land which has been engineered so that it can accommodate extra water in the event of flooding in tight situations. And, accordingly, normally these areas should be dry. So I hope that makes it clearer as to why one couldn't use it as a pond or for any other purposes. The idea is that it should generally be dry. But I note the interest in them and these are balancing ponds which will form a part of the earthworks in the area which will be part of the approval process under Schedule 16 to the Bill with the local authority. And so it will be a matter we have to take forward in terms of the ultimate design.

203. CHAIR: Are they open or are they closed?

204. MR STRACHAN QC (DfT): They're generally open. They're sometimes referred to as 'scrapings' but you have a piece of land and you just lower the profile of it so that it can take water, accumulate water, in the event of a flooding situation and allow for its regulated discharge rather than causing a flood; regulated discharge to stop it all spreading out over the road. So they are there to have a beneficial effect for the railway but they're not – and we wouldn't anticipate them generally to be – visually intrusive features.

205. CHAIR: How deep with they be at the extreme?

206. MR STRACHAN QC (DfT): Well, that will depend upon the ultimate design. The ultimate design of them has to accommodate whatever area of land they're effectively acting as a balancing pond for, so the depth of them and the shape of them will have to be approved in conjunction with the local authority and the Environment Agency. So there isn't a fixed depth to any of them; they have to be designed.

207. MR CRAUSBY: Has there been any consideration about safety and child safety in particular? How much work have you done?

208. MR STRACHAN QC (DfT): I understand that if they are of certain depths, or could be of certain depths in flood situations, those are circumstances where one might have to have fencing to prevent access to them. But at the moment the final design of them hasn't been fixed and clearly that's something that Ms Dixon and others who are interested in we can explain more about that process as to how that design will occur and what currently the plans looks like for the balancing ponds and the depths. But we haven't done the detailed design on them as yet.

209. CHAIR: So we won't have a London Road yachting club?

210. MR STRACHAN QC (DfT): I'm afraid not. Whether that's a good or bad thing. Yes, that would defeat very much the object of them and their purpose. There is another page, 76002, which just gives you a little bit more detail which I'll just put on screen. This identifies some of the legislation that sits behind the need for balancing ponds and their design. And the final point, 5.3, about discharge rates which I said would have to be approved.

211. CHAIR: Thank you.

212. MR STRACHAN QC (DfT): I think I've referred, in terms of enforcement mechanisms, to information paper E1. You've already explained some of those processes. There was mention of requiring the Committee to sit throughout until operation which would be a tall ask, but it's not necessary because, as has already been explained, there's a process for dealing with complaints that occur, if and when they occur, but there is of course ultimately the sanction of MP involvement, Secretary of

State involvement and the House's involvement if there were a problem; none of which we anticipate but there is already that process given the nature of this as a Hybrid Bill and eventually an Act of Parliament.

213. CHAIR: When the meeting is arranged can you let Mr Lidington or liaise with Mr Lidington to see whether or not he can attend or when the staff can attend? Because I think there's more of a chance of getting Bucks County Council there than MPs there.

214. MR STRACHAN QC (DfT): Yes, I'll do that.

215. CHAIR: Okay.

216. MR STRACHAN QC (DfT): Well, we'll try and speak to Ms Dixon after this to see what dates might be suitable.

217. Can I then turn to compensation? And in relation to the general provisions about compensation, as the Committee knows there are homeowner payment zones which move geographically out from the line and in this location it's right to say that some of the properties are covered, because they're closer to the line, and some are not. There is a map which shows how the lines fit in terms of the safeguarding zones. I'll just show it briefly: P7542(3). It's not a very big scale on this screen but we can zoom in. We have to come down to Rocky Lane so you can see the point I was making. So in this location the yellow zones covering some of the houses, and I think the green zone potentially some. It may not. I am very happy, and perhaps we can do this at the meeting, to identify which properties are in which zone. But the Committee has heard that the zones do result in lines because of the nature in which they're drawn. The Committee has heard about that previously but we can provide Ms Dixon with the detail of how the properties divide up. And there's guidance on if you have a certain percentage in a certain zone, how it's treated.

218. CHAIR: If it clips your garden there's a bit of an argument about it but I think –

219. MR STRACHAN QC (DfT): Yeah.

220. SIR PETER BOTTOMLEY: Would it be sensible then also, to be fair, to come back in the autumn to explain whether the Secretary of State or the scheme has any discussion? Because if you're going through a relatively small community which is on

the fringes of this project, whether the Secretary of State or the promoters would seriously consider that you can use the generally acceptable rigid line and whether in fact there is discretion to include people who are so close that in effect their experience is going to be the same as those a yard or two or a metre or two closer.

221. MR STRACHAN QC (DfT): I'll come back and I'll report back to you on that. I think I'm fairly sure that that was something that was looked at and considered as part of the –

222. SIR PETER BOTTOMLEY: Maybe if in discussion with the Secretary of State the promoters would say this is an illustrative example. I'm not saying it's the only one but it's one where there might be seen to be a degree of absurdity.

223. CHAIR: Three or four at the end of the line you're out.

224. MR STRACHAN QC (DfT): No, I understand the point. The homeowner protection zone was drawn up –

225. SIR PETER BOTTOMLEY: I'm not asking you to do it now.

226. MR STRACHAN QC (DfT): No, I'll save it.

227. SIR PETER BOTTOMLEY: Thank you.

228. MR STRACHAN QC (DfT): I note the observation. Can I then turn to a specific example of somebody who applied under the Exceptional Hardship Scheme and was rejected? It's Lue. And I don't have the details of the rejection and it may not necessarily be appropriate for me to go into the details now even if I did have them.

229. SIR PETER BOTTOMLEY: Certainly not with us but I think we might ask the witness to petition whether she'd be happy for the promoters to be able to discuss the details with others.

230. MS LUE: Yes, we are.

231. SIR PETER BOTTOMLEY: I mean, we can do so privately. If we're going to look at how things are working we don't want people's details to be out there because you know you have to put your arm and leg into it. But it'd be quite useful –

232. MR STRACHAN QC (DfT): There are two elements which Sir Peter rightly identified: one is what's the position now and the second is what happened previously. And I can't give you any details of what happened previously but I will look into it and will report back to the Committee.

233. SIR PETER BOTTOMLEY: Again, the Secretary of State may wish to notice that on the face of it an injustice has been done and there's been an insensitivity combined with the mortgage lender's apparent inability to recognise the realities of the situation which are not nearly as bad as would justify a blank refusal, and that there have been extra costs that have been imposed on the person or the household involved.

234. MR STRACHAN QC (DfT): Well, I note that observation and I'll take that back. It's important to note though, because I can't comment on the detail, but there should be a letter explaining the reasons why the application was rejected and it should explain why it was thought that the application didn't meet the criteria or there wasn't sufficient information provided. I've noted that Mrs Lue has said that she spoke to her accountant who provided information. I don't know, and I can't tell you now, whether there's a dispute about that and that may clearly affect whether or not, in terms of the process, that the injustice occurred but we will come back to you about that.

235. SIR PETER BOTTOMLEY: Okay.

236. MR STRACHAN QC (DfT): Can I just say –

237. SIR PETER BOTTOMLEY: We could hopefully anticipate that there will be a direct engagement with her.

238. MR STRACHAN QC (DfT): Yeah. Can I turn to the position now? Because I know Mrs Lue has got an application in on the Need to Sell which I'm told that there is an application which is being processed and there will be a recommendation made by the panel and then a decision made. And I just wanted to point out something that I pointed out previously about the Need to Sell: even if an application is accepted, of course, there is a three year period in which one can take up the offer. So it doesn't require immediate action for someone who is successful under the scheme. I don't know when her decision is due. I think the panel may have requested some further information.

239. MS DIXON: Yes.

240. MR STRACHAN QC (DfT): Yes. And, yes, the additional point I was going to make is I did notice Mrs Lue originally referred to potentially seeking to raise money by selling her property and then leasing it back. If I've misunderstood then I'm sorry. But as a general principle there is the potential opportunity to do just that, which is to apply to Need to Sell, have your property purchased but then to arrange a lease back so that you can continue to occupy it and so you raise capital out of it but you can continue to stay, subject of course to the terms of the lease. But I just mention that; it may not be relevant to Mrs Lee but it might be relevant to others. So I'm going to come back to you, if I may, on what happened in the Exceptional Hardship Application once we've investigated.

241. CHAIR: Thank you. Is that it, Mr Strachan?

242. MR STRACHAN QC (DfT): It is.

243. CHAIR: Thank you. Brief final comments.

244. SIR PETER BOTTOMLEY: Can I just come back to the issue which is if an application has been made under Need to Sell, can we be clear that the panel will not look for an urgency in selling? There's not much point in having a scheme where you get a Need to Sell application accepted and you can hold on to it for three years if the panel gets a sense that you may want to hold on to it for six months or a year even, then that disqualifies you from having your application accepted under Need to Sell.

245. MR STRACHAN QC (DfT): Yes, I understand that point. I think that relates to a point that you've asked me to come back to you –

246. SIR PETER BOTTOMLEY: I'm willing to wait for the moment but there's a voice behind you.

247. MR STRACHAN QC (DfT): We're just finding out.

248. SIR PETER BOTTOMLEY: Or come back in the autumn.

249. MR STRACHAN QC (DfT): Well, I'm conscious that it's a related question to a question you already asked about the making of a conditional application in the sense

that one wants to know that if one wished to make an application and were to have a Need to Sell in the future you can make the application now without having to do it later, but have a sense of security. That's something you've asked me to come back to you. In a sense it's a related point, although a nuanced point.

250. SIR PETER BOTTOMLEY: And the last point which Sara Dixon, if I may say so, in her exceptionally helpful presentation asked the question whether it's possible to have exempt zones where residents can be notified that were they to make an application a Need to Sell application would be accepted because of the effect on the local area.

251. MR STRACHAN QC (DfT): I'll come back to you on that.

252. SIR PETER BOTTOMLEY: Again, come back to the autumn on that.

253. MR STRACHAN QC (DfT): What has been commented upon several times is the ability to put in evidence that's, for example, other estate agents –

254. SIR PETER BOTTOMLEY: Had been accepted. So the marketing issue would not have been necessary in those circumstances.

255. MR STRACHAN QC (DfT): The only obstacle I see, or an obstacle I see, to have a zone type of approach is that the market does change and things can change on the ground or in terms of perception, and so fixing things in stone may be counterproductive –

256. SIR PETER BOTTOMLEY: But it could be considered for a period. If, for example, an area like, for example, London Road, HS2 have bought two homes and may be expecting to buy another three or at least make offers, to say to the other 10 or 18 people who may be there 'you're going to have to show evidence of marketing', well I think you'll find is ludicrous.

257. CHAIR: It might not be necessary to declare zones because of the double-edged sword but it might be that the scheme itself ought to pay regardless of the fact that if it has an application where it's bought four or five properties already that that is a very compelling reason that the market isn't working.

258. MR STRACHAN QC (DfT): I understand, and certainly that is plainly evidence that the panel will take into account as indeed under the current guidance. But there is a balance to be struck between the potential to spread blight where it might not actually be there. And I do hasten to add, with everything I said earlier, we are seeking to, by explanation and showing people what the effects are, actually minimise blight or the perception of blight and to encourage people to stay with recognition of the impacts in construction and operational terms. So that's the caveat I have.

259. SIR PETER BOTTOMLEY: I understand the caveat. But the issue again comes down to the potential independence of the panel. Can the promoters or the Secretary of State tell the Panel that in various areas, for a time at least, the requirement for marketing is suspended? That's all so I'll let you come back to us in the autumn on that.

260. CHAIR: Okay. Brief final comments?

261. MS DIXON: I'm very happy to have a meeting with you and HS2. Thank you very much –

262. CHAIR: Do you want a meeting at the peak traffic times?

263. MS DIXON: Maybe when we've got the water pool in. Thanks for offering to be the sort of – what are you – backstop, I suppose, by asking to look at the minutes afterwards. Is it backstop? Rounders? Protection at the end. That's very important to us, just at least at this stage. We don't really have any further questions that can be discussed in that meeting. So thank you for listening

264. CHAIR: Okay. Thank you very much indeed.

### **Oswald De Sybel**

265. CHAIR: Right, we now move on to petition 1155, Oswald De Sybel. Good morning.

266. MR DE SYBEL: Good morning. Thank you for hearing my tale of woe. As stated in paragraph 7 of my petition, which is number 1155, I live with my wife off Small Dean Lane and have lived in the property since 2009. Can we have slide 1?

267. MR STRACHAN QC (DfT): Is that slide 1?

268. MR DE SYBEL: Yes, it is. The precise location is you go down Small Dean Lane. I'm just trying to find out where it is. Hold on a minute. There's Manor Farm. Wendover Dean. Is that it? I put it in my petition.

269. SIR PETER BOTTOMLEY: It may be that Mr Strachan has got his usual –

270. MR STRACHAN QC (DfT): Well, I was generally just asking for that and I'm not sure if we have got it available. I can give you a map closer to Small Dean Lane which might help.

271. MR DE SYBEL: Yeah, okay.

272. MR STRACHAN QC (DfT): Why don't we try 7571(4)? Can you see this map? Does this help you a bit more?

273. MR DE SYBEL: This one here?

274. MR STRACHAN QC (DfT): So if you just focus here.

275. MR DE SYBEL: If you can find Small Dean Lane for me. I'm afraid I can't see it here for some reason.

276. MR STRACHAN QC (DfT): Can you just zoom in where I'm pointing here? Thanks. And then back. I think your property is just here, isn't it, where the cursor is.

277. MR DE SYBEL: No, here it is. There it is. Which is approximately 700 metres from the proposed route.

278. SIR PETER BOTTOMLEY: So you're between Lower Little London Farm and Small Dean Farm?

279. MR DE SYBEL: That's right. Now, I endorse the petition of the previous petitioner, Sara Dixon, in so far as it includes Small Dean Lane and the relevant sections of the proposed development off the A413; that is between Small Dean and Wendover viaducts connected by a railway embankment. And of course I would also endorse the short tunnel option which is just mentioned.

280. Now, I should also like to take this opportunity to expand on that part of my original petition which deals with air quality. That's paragraphs 13 and 14 of my

original petition in which I voiced my concern about the potential adverse impact on health from poor air quality resulting from the construction and operation of HS2 and associated development.

281. Now, a detailed illustration of the proposed works for the relevant area can be found in what I think HS2 referred to as Exhibit K of August 2014. I think we've seen it today. It's reference number P7595. Alright? Now, on any view the scale and projected duration of the works will result in something like a two to four, or even six year, intensive construction development and concentrated – and I stress that – in a very, very small area.

282. Now, in this context the Committee will note from paragraph 14 of my original petition reference to my family, and I would mention that my wife suffers from asthma; but for present purposes I'd like to concentrate and focus on the health of our five-year-old grandson.

283. SIR PETER BOTTOMLEY: Can I just help ourselves by asking if you might to 1316(2)? Where I think if you look at centre-left there's Lower London Farm.

284. MR DE SYBEL: Lower London Farm, yeah.

285. SIR PETER BOTTOMLEY: If you go up and then slightly right is Small Dean Farm and you're halfway between? So you're roughly where it says '100-2004'?

286. MR DE SYBEL: No, I think we're at '101-200' I think. No, sorry, we're at '101-2004'.

287. SIR PETER BOTTOMLEY: Yeah, okay. We've got you. So in effect you're down from London Road if I was going as a flying bird.

288. MR DE SYBEL: That's right. Turning back to our five-year-old grandson, he visits us from London with his little sister on a regular basis, for example during weekends and school holidays. Now, our grandson suffers from a rare disease called spinal muscular atrophy or SMA. It's a rare genetically inherited neuromuscular condition and it's characterised by degeneration of the spinal cord and the spinal cord neurons, resulting in progressive muscle atrophy and weakness. It has no cure and it requires multi-disciplinary medical care. A fuller picture of the nature of this condition

can be found in two relevant facts sheets which I've submitted which I think are slides 5 and 6. These are published by the National Institute of Neurological Disorders and Spinal Muscular Atrophy Support UK.

289. Now, unlike Baroness Jane Campbell of Surbiton who sits in the House of Lords and has an acute version of the disease and is a veritable beacon of hope to all sufferers, our grandson suffers from a milder form of the condition known as SMA3, the specific nature of which is to be found in slide 6. The main symptom of this condition is difficulty with maintaining balance, which explains why our grandson can only manage walking for short distances and only with the aid of trekking poles.

290. Of particular relevance to this expanded petition are two references in the aforementioned fact sheets to respiratory systems and, I quote, 'Individuals with SMA type III may be prone to respiratory infections but with care may have a normal lifespan.' And further, 'Children with SMA type III do not generally have difficulties with their breathing but their breathing strength and cough effectiveness must be checked regularly.' Now, given these observations I am naturally very concerned that the increase in traffic and construction works associated with HS2 in my locality as described this morning may adversely affect air quality which in turn could present a serious threat to the health of our grandson.

291. And moving on to air quality for a moment, as regards that there are two publications from HS2 that I've managed to source. They can be found or are referred to in slides 2 and 3. Now, slide 2, which was drawn up with the help of Defra, concludes for our locality that the magnitude of impact from construction dust and NO<sub>2</sub>, which is nitrogen dioxide, after incorporating draft Code of Construction Practice measures will be negligible. Further, in the health impact assessment report, which is in slide 3, I quote: 'The increased risk of health effects to any individual as a result of emissions associated with the proposed scheme will be extremely small.' And it goes on to concede, 'However there may be anxiety caused by perceived health risks from increased traffic emissions particularly from people with existing respiratory effects.' Well, there certainly is anxiety and this is why I'm here today.

292. These reports were published some two years ago and I'm wondering whether there's a persuasive case that they require updating, given the recent evidence we've

heard this morning of traffic flows predicted by HS2 – that’s in what they call Exhibit K – and also by Sara Dixon.

293. My concern regarding air quality can’t be understated, particularly when one considers that there is presently an air quality plan recently submitted by Defra following a ruling from the UK Supreme Court in April of this year and has rightly or wrongly been criticised as ‘hollow’ by Her Majesty’s Opposition and ‘a list of meaningless assurances and half-truths’ by ClientEarth who brought the case against Defra before the European Court from whence it was referred to the UK Supreme Court. Now, I’m asking myself: is this issue about air quality and air pollution, is it going to become a political football whilst Rome burns? I sincerely hope not.

294. So as regards my locality, I see the position as follows: unless measures can be swiftly implemented to avoid the attendant risk of dangerous levels of NO<sub>2</sub> in particular, and to a lesser extent construction dust, I fear that my wife and I may have to make a very difficult decision, i.e. that of denying our grandson and his siblings access to our house at weekends and during school holidays; and, most importantly, to our exercise pool which is installed in our garden. Such a decision would be, to us, an absolute catastrophe. To date, our grandson’s medical team at Great Ormond Street Hospital have encouraged our grandson to focus on what he can do rather than what he can’t do. With this mind, he has learnt to swim; an achievement which has given him enormous confidence. And, according to his physiotherapist, swimming should certainly be encouraged as it helps with mobility problems associated with the disease.

295. I should also mention that denying access will also result in his parents, in particular, losing the respite that they have when their children come and stay with us.

296. So if, after having collated all the arguments for and against the construction of a fully bored tunnel throughout the Chilterns, and indeed the more recent proposal for a short tunnel, the Select Committee is minded to reject both then I would respectfully ask that the Select Committee recommend that: HS2 fund and undertake comprehensive monitoring in relation to, in particular NO<sub>2</sub> and particulates before commencing any works; that HS2 report the results of this monitoring exercise to local residents and councils; that HS2 be required to set air quality limits using independent experts; that in terms of implementing best practice required under the Code of Construction Practice;

reference should be made to the supplementary planning guidance (SPG) of the control of dust and emissions during construction and demolition; and finally that if, during construction, these limits are breached HS2 will be under a legal duty to cease operations until such time as the air quality improves to levels acceptable under EU and WHO guidance.

297. I have nothing else to say.

298. CHAIR: Thank you. Mr Strachan?

299. MR STRACHAN QC (DfT): Yes, there is a section in the Environmental Statement dealing specifically with air quality which explains the methodology that's been adopted, and air quality does form part of the assessments of both the construction effects and the operational effects; the operational effects obviously principally being if a road is moved or there is a realignment of a road whether that has a knock-on effect on air quality. And the methodology that's used for that assessment is that produced by the Institute of Air Quality Management – there's a specific methodology that they prescribe – and the results of this area and this location are that there aren't any material effects being identified for this property that Mr... Sorry –

300. MR DE SYBEL: De Sybel.

301. MR STRACHAN QC (DfT): De Sybel. I apologise if I mispronounce it. Mr De Sybel's property. So as a result of the assessments we have done we are not predicting any material effects on this property or its continued use or the use of it for whatever purpose.

302. CHAIR: The Environmental Statement though, although you have that, it's constantly updated. So presumably as more information comes in –

303. MR STRACHAN QC (DfT): Yeah. I was going to say that in relation to this area changes to traffic in relation to AP4, to the extent that they involve changes in traffic which would affect the air quality modelling, will be updated as part of the environmental information to the extent there are any changes that necessitate that.

304. CHAIR: So by October we would know more and have more information.

305. MR STRACHAN QC (DfT): Just to explain to Mr De Sybel, AP4 is a change to part of the route a little bit further south, but results in some changes to construction traffic along the A413 which we're going to report in the environmental information that goes with that additional provision. But I wouldn't anticipate any change because of the distance of the property from the A413 and the line itself but, rather than me trying to predict what's in the Environmental Statement, that information will come out in due course.

306. CHAIR: And monitoring of air quality is local authority as the project goes by?

307. MR STRACHAN QC (DfT): It is.

308. CHAIR: So if air quality changes then the local authority would service notice?

309. MR STRACHAN QC (DfT): Local authorities are responsible for air quality in their area. As I understand it, it's a matter for them how they do it but they obviously focus their resources on areas where there is an identified, or likely to be an, air quality issue and they can declare air quality management areas, if I get the right terminology. There isn't one in this area because, as I understand it, there isn't considered to be an air quality issue bearing in mind the location. In contrast, there are other areas which we've looked at in other parts of the route where they are either close to or within air quality management areas. But this part of the route isn't one.

310. CHAIR: As we've heard from evidence, there are peaks and troughs in terms of the construction of the railway with certain times, certain compounds and you're building haul roads and you're shipping material around. Presumably local authority would, when there's more activity, be testing the air more regularly than when onsite not much was happening. So there would be dialogue?

311. MR STRACHAN QC (DfT): Yes, I certainly wouldn't want to tie local authorities hands' as to where they think they want to monitor. But certainly it's open to them and they will know when the main time of activity will occur because we'll be identifying that. If they consider that there's a need for monitoring that location that they wish to put in they can do that by reference to our timetables when there's likely to be activity in that area. I think, yes, Chiltern District Council's own review identified that the district meets the standards of air quality in the majority of areas. There was an

AQMA declared along Berkhamsted Road and Broad Street in Chesham but that's obviously outside the study area. So this area, the area that we're passing through, is not an identified air quality management area where the levels are in excess of those standards which would justify such a management area.

312. So that's part of the background but the key thing is we do carry out an assessment, yes. In relation to the forthcoming Environmental Statement it's already been scoped out that there are no new different significant environmental effects in relation to air quality, so the new environmental information won't include further information about air quality because it's been identified that there aren't any significant effects on air quality arising from that change.

313. CHAIR: Okay. Thank you. Mr De Sybel?

314. MR DE SYBEL: Yes, I'm just wondering whether the air quality plan produced by Defra will take into account our area.

315. MR STRACHAN QC (DfT): I'm not sure which one you're referring to.

316. MR DE SYBEL: Well, the one at the Supreme Court in April ruled that Defra must produce an air quality plan for the UK by December; and what they've done is produce something two weeks ago which has been heavily criticised by the Opposition, rightly or wrongly.

317. MR STRACHAN QC (DfT): Well, I'll find out is the answer. I don't know the precise answer to that; I'll find out and I'll report back to the Committee and to Mr De Sybel on that specific question.

318. MR DE SYBEL: My finale question is: does HS2 have an air quality monitoring strategy?

319. MR STRACHAN QC (DfT): We have a strategy which is to assess the impacts of our proposal in terms of air quality and we have done that in the Environmental Statement. We have identified those areas, if there are any areas, where there's likely to be any significant adverse effect on air quality, and those were set out in the Environmental Statement. This isn't such an area. Area's close to roads or construction activities are ones where there are more detailed assessments carried out after the initial

assessment. And, as I understand it, as a result of those more detailed assessments closer to construction activities, we've actually concluded there aren't significant adverse effects. And there are a whole host of measures that are required under the Code of Construction Practice to minimise air quality effects, be they from vehicles or from construction activities such as air moving, and those include of course suppressing dust and anything of that kind from construction sites.

320. So, in terms of a strategy if you want to call it that, there is a comprehensive process for assessing air quality, which we've undertaken, and then for mitigating the effects of construction through the Code of Construction Practice and some fairly rigorous requirements in relation to the Code of Construction Practice. Under 7.3 of the Code of Construction Practice the nominated undertaker will require its contractors to implement inspection and monitoring procedures to ensure the effectiveness of those measures to prevent dust and air pollutant emissions. And then local authorities will be consulted about the monitoring procedures that are going to be used by the contractors. So there is a detailed process both for suppression for dust and also the monitoring of its effectiveness.

321. CHAIR: Okay.

322. MR DE SYBEL: So does that mean that we can look forward to updated reports on air quality from HS2?

323. MR STRACHAN QC (DfT): You can look forward to the nominated undertaker requiring any contractors on their sites having monitoring processes as part of their contractual obligations; monitoring processes to ensure that the dust suppression measures that they are required are actually working.

324. MR DE SYBEL: Yes, absolutely. Okay.

325. MR HENDRICK: Are they not going to self-police it?

326. CHAIR: No, the local authority.

327. MR HENDRICK: No, I mean if he's asking the contractors to monitor themselves what's what. Through the Control of Pollution Act obviously the local authority –

328. MR DE SYBEL: What was disappointing when I went through the relevant evidence on this is that the air quality booklet of November 2013 prepared by HS2 mentions that the Bucks County Council did not undertake a baseline study for air pollution and air quality. And so what HS2 have done is, with their experts, actually relied on a theoretical model, a national model, to arrive at... That is the methodology. I'm not a scientist but I think that's basically what it was: theoretically a desk study. Not a real study but a desk study. Now, that's why I've asked about whether or not there's a persuasive case for saying, now that we've had so much more information, we should have some updated publications for air quality. And that should start with a baseline study, an actual baseline study.

329. CHAIR: Do you want add anything, Mr Strachan?

330. MR STRACHAN QC (DfT): Yes. The baseline that's taken for the purposes of the study is set out in 4.3 of the Environmental Statement at CFA 10. And there you'll see what happens is that there are estimates of background air quality obtained from the Defra background map for 2012, and then these data are then estimated for 1 kilometre grid squares. And then – I'm trying to read it all out – they take account of Aylesbury Vale and Wycombe District Councils' routine diffusion tube monitoring at 20 and 32 locations respectively. Chiltern doesn't have any routine diffusion tube monitoring. And then all of the material's put together to make an assessment.

331. Just standing back for a moment, of course one can't monitor or assess the whole of the study areas that everyone would like. The critical thing is to assess those areas where, in accordance with the Institute's guidelines, there is likely to be or could be an adverse effect and then to model them in more detail. And that's what's been done in this process. And, given the distances we're talking about, clearly this property is not one which is considered to have any material effect from dust. There are other locations which are closer or closer to construction sites and roads where obviously more detailed work has been done.

332. MR HENDRICK: How far away are you?

333. MR DE SYBEL: 700 metres. To the embankment as the crow flies and as the work compounds at the end of our lane. 700 both ways. So we've got the embankment and then we've got the work compounds. I think south, the prevailing wind.

334. CHAIR: The essential answer is that, as information comes in, things are updated.

335. MR DE SYBEL: Yeah, okay.

336. CHAIR: Contractors are under an obligation to keep dust and all other pollutants down and they have to monitor themselves to make sure they're doing it in consultation with the local authority. The local authority then comes along and checks up on them to make sure they're meeting it and if they're not then they can be prosecuted. So there is a regime and I understand your concerns for your grandson.

337. MR DE SYBEL: Thank you very much.

338. CHAIR: Anyway, thank you very much for raising this important subject. We've had lots of asthma sufferers and things all the way up and down the line who have similar concerns. Thank you.

339. MR DE SYBEL: Thank you.

### **James Conboy**

340. CHAIR: Right, the last petitioner of the day is 750, Dr James Conboy.

341. DR CONBOY: Right. Good morning, gentlemen.

342. CHAIR: Good morning.

343. DR CONBOY: I'll try not to detain you too long. I have some slides to put up. And I'm representing the Chiltern Society. We had a meeting in Great Missenden a few weeks ago and decided that traffic on the A413 was a major concern for a lot of groups, and so I've been working on it and I've brought forward my personal petition in order basically to discuss the traffic, the work that has been done on it and our assessments.

344. So I'm Dr Jim Conboy. I'm a doctor. I have a doctorate in high energy particle physicals and if you break your leg I'm not the man to go to. I worked as a senior programmer for University College for 20 years working on experiments at CERN in Geneva for them. The last 10 or so years I've been working at the Culham Fusion Energy Centre. I've also undertaken data analysis and data analysis is what I do.

345. Can I have the next slide, please? And do I point at this with my finger or is there

a magic wand?

346. SIR PETER BOTTOMLEY: If you put it towards the screen. It's not a touch screen but the arrow with allow.

347. DR CONBOY: Okay.

348. MR STRACHAN QC (DfT): I don't think you can leave it. You need to leave it like that.

349. DR CONBOY: Okay.

350. SIR PETER BOTTOMLEY: Oh, you wanted to turn the page you mean? To turn the page you say 'next'.

351. DR CONBOY: Okay, alright. I will do my own personal slide since I'm here. My personal impact is that I cycle up and down the AONB. I can get to Kings Ash in 20 minutes. You will remember Kings Ash, I hope. It's sort of the white house overlooking Wendover Dean and you met the Dutch lady, I believe. If you did, you won't forget that.

352. It's almost embarrassing to say this is my personal impact compared with what we've been hearing about here over these last weeks. However, if I wasn't here this morning I would be cycling with the Chiltern Society Cycling Group who are going to meet at the Black Horse in Great Missenden, cycle for 20 miles and then come back, have lunch and a beer. That's about a group of 20 cycles and they probably each spend about £10; £200 income for the pub at a weekday lunchtime. This is not a bad thing for them. And I can only say if this scheme goes ahead I doubt we will be starting from the Black Horse in Great Missenden again.

353. So half the AONB from where I live will be out of bounds for 8 or 10 years during the construction. There are many other cyclists who use these roads. If you go out there on a Sunday you'll see far more cyclists than cars. And so on their behalf I'd say that this is a thoroughly bad scheme for them.

354. Travel very briefly. When I'm working near Abingdon my route would cross the trace three times: once down Rocky Lane and under Small Dean viaduct and then Nash

Lee Road. Fortunately I don't have to make that journey everyday anymore. All the roads that I would use – A413, B4009, A410 – these are all used by HS2 construction traffic. To travel into London I would want to get to the Chiltern Line, and congestion in Chesham, Amersham and going down to Cheltenham would be... my journey would be impeded and I'd have to start earlier. I could probably get to Berkhamsted in about the usual sort of time but then I'd run into the fact that a couple of lines have been taken out of service at Euston.

355. Next slide, please. Right, now we get on to the main course. This is the A413 which goes from Gerrards Cross to Stoke Mandeville very closely following the HS2 line which you can see with the various coloured sections, with the viaducts and cuttings and embankments and so forth. Now, you might note at this point how this major construction route divides the AONB, one of the more tranquil parts between the A41 corridor around Berkhamsted and the M40 corridor through High Wycombe, and takes a line straight through the middle, splitting it in two so that the AONB is being sectioned up and eventually it will lose its character.

356. Now, the point of this talk is about the A413, the traffic congestion and the data that's been provided; and what I hope to show you is that a very large amount of data which HS2 has provided us doesn't answer the questions posed by the end user which is 'how much longer will it take me to get to work in the morning?' and in order to answer the question which this Committee might reasonably ask, which is: is this a feasible construction scheme?

357. SIR PETER BOTTOMLEY: Do you mean the whole thing?

358. DR CONBOY: Sorry?

359. SIR PETER BOTTOMLEY: Do you mean the whole thing?

360. DR CONBOY: I'm specifically referring to the traffic assessments. I will go into them in some detail. This is just to show where I'm going. The presentation and quality is in some cases very poor but nevertheless it does raise some very serious concerns about how this will affect congestion on the A413.

361. Next slide, please. Right, here we have the A413. It's the main commuter route

down from Aylesbury Vale towards London. It's also a route up to many of the villages and the little lanes in the Chilterns which are so characteristic of it. It's not the safest of roads; there's a rather well known pinch point at the Deep Mill railway bridge in the mornings and evenings. It can be very congested. This is not a terribly bad day but, as you can see, it's just a continuous queue of traffic and very difficult to turn on to in various places, as we've heard earlier. And on top of that it is the main route to get to the A&E Department at Stoke Mandeville.

362. Next slide, please. To go into the traffic flows in more detail, you can see the main flow of commuters comes down from Aylesbury and Aylesbury Vale along the A413. And when they get round the Amersham area they have choices of continuing on the A413 towards Gerrards Cross, queuing up at Denham to get onto the M40, or they can go down the A355 to Beaconsfield, queue up in Beaconsfield and get onto the M40. They can also, some of them, go north into Amersham along the A404 and join the M25 at Rickmansworth which sometimes is not quite as bad.

363. The other minor thing which I must point out is that you can also get to the M1 through Hemel Hempstead. And if there's an accident on the M25 this is where you're sat now that you have traffic control alarms. It won't do you any good because Chesham and Amersham are both seized up. But this happens on occasion. We can tell if there's an accident on the M25 because nothing moves.

364. Right, next slide please. Now, this is what we anticipate may happen during the construction phase. We are expecting severe delays on this section of the A413 roundabout where the main construction compounds are. And what will happen to commuter traffic? Well, the people who plan ahead will maybe go down through Butler's Cross, Rignall Road, into Great Kings Hill, Prestwood and through these roads and join the A413. In doing so they will pass a rather nice country house called Chequers, which you might hope to be invited to, and one of the best collections of 'Stop HS2' signs in the country. The others have left things a little bit late, and they get to the end of the Wendover Bypass here and find that nothing – this bit – that nothing is moving, they can then turn off Rocky Lane, which you've heard about earlier, up through Swanbottom, through Chartridge, and down into Chesham, where they will add considerably to the problems we have there already, which we will tell you about next week.

365. Next slide please. So how much congestion should we expect? And to start with a little cliché it's rather difficult, we don't know yet. What have we been given? We have the junction analysis; we have figures for traffic generated by construction compounds, and we have the peak hour traffic flows, and I'll come to all of these in turn. Next slide. Right, this is the junction analysis from the ES, I'm afraid not the latest version, table 7.51 Central Chilterns. This predicts, as you can see here, this is the B485 joining the A413 at the roundabout near Missenden, maximum queue two vehicles. This is a picture I took in quite a hurry to get it into our ES response, and you can see that there's a good quarter of a mile of tailback there, nearly halfway up the hill. Right in the background here that's the A413 a bit further down, but... This junction assessment has no correspondence to what we experience on the ground, and frankly it's not of any use. Next slide please.

366. MR HENDRICK: Is that because it's not based around peak traffic; it's an average over the day?

367. MR CONBOY: I believe it is supposed to be peak traffic, what would be the point of assessing then?

368. MR HENDRICK: I agree with you; that's my question?

369. MR CONBOY: If it's not about peak traffic it's not really what we want to know. You want to know what's happening when you try to get to work, can you get out of B485? Will it take you 10 minutes or 20? This is not a unique aberrant junction. When the, I think there was a committee of the other place, were investigating these matters we sent off a whole selection of these sort of things that we found from various different groups. I don't have them all to hand; it's just an example from our area. Traffic by compound: this is from – I won't refer you to the document, I think you saw it earlier – but we have a little box for each compound, this is the Rocky Lane underbridge compound, which is, is it that one? Yes. Anyway, so we've got duration of busy movement, and we've got a peak HGV flow of actually in this case 300 to 450 a day, which you would never get out of the bottom of Rocky Lane onto the A413, but that's not the point of this presentation. This gives us the total for the day; we then have the histograms, can I see P7596(1)? Okay. This is getting better: we have the actual change in the rates over time, it looks like quarterly. Unfortunately what it

doesn't tell us is how these flows are distributed over the course of the day. The HGVs are presumably evenly distributed and with luck will be less during peak hours. The cars, which is the grey, and presumably that includes the contractors' vehicles naturally want to get there at the start of the day to start work, the same as everyone else, and go home in the evening, and we don't actually have the figures for that. The other missing factor is how all these different compounds will combine together to produce traffic on the A413, which we will get onto again later.

370. Next slide please. Sorry, that's the same again. Yes. Okay, daily traffic flows: we have very nice maps, which label the locations, which make life a bit easier, and we've got here the daily traffic flows at various locations. Again, although we have now got the total for the A413, we don't have the breakdown over time, and this is what I think led to the people at the bottom of Rocky Lane actually doing their own survey. Next slide please. And the other element, which HS2 provided us with, are the extensive tables of peak traffic flows in the CFA document, I think volume 5 for each area. When we first got these I attempted to make some sense of it and constructed a little graphic showing how the traffic travels up and down the A413, and I don't expect you to go into all the details, but, for instance, here is the Missenden Bypass north of the B485, and these are vehicles. The blue is all vehicles going south and the red is HGVs going south, and then we have similar things from the side roads, and so forth all the way down. The first thing to note is this is Amersham, Gore Hill, there's these three roads off into Amersham, they're not construction routes, so we don't have any figures for them. But for other difficulties you might be able to make a guess at what those figures were, but unfortunately we also found on looking at these figures they don't altogether make sense. There are strange things, which you might not expect, and we know we've found the problem in this particular junction, which I'll use as an example, there appears to be a deficit of 62 vehicles. If you add up the number of HGVs that come into the junction and the number going out, you would expect them to be roughly equal. Can I have the next slide please?

371. Okay. This is the actual junction: A413 meets the A404 coming up from High Wycombe. This is a very major junction right outside the Amersham vent shaft, and you can see from the picture it doesn't have any obviously magical properties; it's just a road junction. Next slide please. Okay. Taking this from the ES tables the top row is

the traffic, the flow of HGVs into the junction from each road. The bottom row is the HGV flow out of the junction from each road, and a cursory inspection you can see there are more HGVs flowing into the junction on each of the roads than flow out.

372. If it was an underground car park this would be fairly credible, but, in fact, it's a road junction as you saw from the previous slide, and there's a discrepancy of about 60. Okay, this is a survey, 5%, 10% we might expect as something error, but an error of one third is going beyond what you could really hope to live with and have any confidence in the data. We followed this up with two FOI requests, or rather an FOI request and a complaint. The first response was, 'Oh, these numbers are from Little Missenden, all the lorries had gone walkabout on the way down from Little Missenden,' but, in fact, there's nowhere for them to go. There's no credible place they could have turned off, so we complained about that, and we find the real reason. Where are we – can I have A1362(20)? If you look at the highlighted section of the FOI response we see, 'the Amersham Bypass count data was derived from Buckinghamshire County Council counts. Due to the primary counts not distinguishing HGVs we had to use average HGV counts from April and May 2011.' So, in fact, they've taken some Bucks data from some different time, which doesn't distinguish HGVs, put it together with their survey data, and ended up with some nonsense. Can we go back to the slide, which would be slide 13, I believe?

373. Okay. So I must ask: why didn't they do a survey of the Amersham bypass? It's not just a trivial little side road somewhere, it's one of the main construction routes taking a lot of the traffic out of the AONB. And why is there no effective quality control? I would refer you to the PRD, but my copy of it doesn't have numbers, but PRD paragraph 25: 'the promoter does not agree that unreliable traffic baseline information has been used to carry out the traffic assessments. Transport surveys and quantitative assessments have been carried out in all locations where the proposed scheme can reasonably be considered to have a significant traffic effect.' Well, if you would accept that the A413 might not be reasonably considered to have a significant traffic effect then that is a true statement, but otherwise I submit it's not.

374. Paragraph 26: 'The modelling and assessment work undertaken is robust because blah, blah, blah... number 3, it was subject to appropriate quality assurance checks'. Well, in this case I can't see that it has been. So basically they have been taking short

cuts, they haven't done the amount of work which you might expect on a project of this scale and the amount of money that's been spent on it. I also looked up at the same figures in AP2: this same junction had 221 HGVs in, 160 out, and there were still 61 missing. So not only did they publish this rather dubious data in the first instance, they haven't even bothered to correct it. Can I have the next slide please? I'll just mention, if I did that in my profession I would be in some difficulty by now.

375. So, how much congestion do we expect? First of all we've seen that the junction analysis is, well I've written it politely on this slide, but I'd say useless. The traffic generator at compounds: well, that's promising with the histograms, but doesn't have the time of day information. Peak hour traffic is a missed opportunity; this is the sort of thing that you want, but it doesn't appear reliable. Fourthly I'd like to introduce the idea of road load factors, which is a formula which will tell you how much traffic you can reasonably expect to put on a road. Can I have A1362(12) please? This is from the design manual for roads and bridges from the Department of Transport, which I found on the internet. Next please of this sequence: 1362(13). There is, I'll leave the quote just for now, but this gives a formula for road capacity as a function of various variables, and the ones we are interested in here is the percentage of HGVs in the flow and the factor which relates to the road width. Next slide please. Okay, and the guts of the thing is for a single carriageway without any HGVs – sorry, where is it – pointing at this bit, this is a 7 metre single carriageway; you might expect to get 1,380 private cars through in an hour. Right, can I return to the presentation slide 15.

376. Okay. So with a bit of data scrabbling I took the figures from the peak flows, and I applied this formula from the roads and bridges manual, and what I find is the narrower sections of the A413, which haven't been improved, which are north and south of the Great Missenden Bypass, which is okay, because it's wider, these are loaded at over 100%. If you see these sections here, this section here, and the section between Great Missenden and Little Missenden is marginally under 100% - not a figure that I'd be comfortable with.

377. MR HENDRICK: Is 100% 1,380?

378. MR CONBOY: Well it's 1,380 less factor for the percentage number of HGVs. In fact, I think it equates eight HGVs to nine cars, which you might think is not a great

deal.

379. MR HENDRICK: So it has to be weighted between the two different types of vehicle?

380. MR CONBOY: It's to reflect the fact that if you've got a lot of HGVs they travel more slowly, you can't pass them, this sort of thing; at least I imagine that's what it's doing. I could suggest ways to look at this formula again, but that's not what I'm doing at this point. The point is, in the roads and bridges manual it says, 'Once the road is used beyond its capacity,' it says, 'Flow breaks down with speeds varying considerably, average speeds drop significantly, the sustainable throughput is reduced, and queues likely to form.' I believe this is something like you might have encountered on a motorway; all of sudden you slow down to about 20mph, you crawl for half a mile, and then suddenly it speeds up again and there's no apparent reason.

381. SIR PETER BOTTOMLEY: The wave effect.

382. MR CONBOY: Sorry?

383. SIR PETER BOTTOMLEY: It's called the wave effect.

384. MR CONBOY: Yes, but it happens...

385. MR HENDRICK: It's called bunching.

386. MR CONBOY: Yes, it happens when you're approaching the limits of the road; it's a chaotic flow technically, and things can break down.

387. SIR PETER BOTTOMLEY: As a low speed A Level physicist, to a high speed post-doctoral physicist it isn't; it's the wave effect and you can see it on all sorts of roads miles away from the junction.

388. MR CONBOY: Yes well I think this is a similar thing, but I would imagine that on a road like the A413 where it's narrow it's going to be rather more dramatic. Okay. I also checked out the AP2 figures, which are very similar: 110, 94, 97, so I think there is a slight reduction on traffic on the A413 until you get to Rocky Lane where it shoots up again, because you're moving all the spoil down from Hunter's Green. Right, so my observation at this point is that although I have my doubts about the data, if you take it

just a little bit further than HS2 have been prepared to do, I mean, you can tell somebody how many HGVs and how much traffic there is on the road, what does it mean? It's very difficult to interpret, but if you say a road is working at 85% of capacity then that might be worrying, 75% okay, 110% you can anticipate severe problems. I would ask, one of my asks, is that HS2 should produce these sort of figures.

389. I'll briefly survey the consequences, which I know we will go into more detail next week, can I have the next slide please? Firstly, I'm sure you've heard our worries about ambulances: the nearest A&E is Stoke Mandeville in Aylesbury at the top, we have two other hospitals nearby, High Wycombe and Amersham. On this side all the red routes are HS2 construction routes, you can see if the A413 grinds to a halt you have to use a construction route to get anywhere else: this is not very good news. Our basic point is we want to get to hospital if necessary; we don't want to get there is reasonably practical. Next slide please. Fire and rescue: you can see all the major stations, which are fully manned, Aylesbury, High Wycombe, Watford, and Hemel, and in the middle we have Chesham, Amersham, Great Missenden and the construction route. Amersham is manned by a crew during the day, all the rest of those are on retained duty, which means they phone people up and they come from their place of work. I would submit, with all respect to the retained duty people, this is not a way to manage emergency services for a major construction project, particularly when the main fire station is some way away and it would take some time to get there. This I think we will return to next week, thank you. Next slide.

390. Now I'll get on to requests: for AP4 this might be implemented with a bit of luck. Firstly, at some points we have a timescale which is project year, and sometimes we have calendar year, and there may be a reason to do that, but it would be nice to know what the offset is. We would like some realistic junction assessments, which have actually been compared by somebody going and having a look at the junction, maybe taking some measurements, and seeing if they can reproduce those in the first instance, and then try and project them forward for another three or four years. We'd like the traffic figures to be extended to the roads which are at risk from displaced traffic, the roads that are not construction routes, but the roads where the commuter traffic, which is not under HS2's control, is likely to go? We would like to know how much of that is

happening at the moment and how much, if possible, it might be anticipated. The fourth point is to actually do the work which I have been trying to do, which is to produce a breakdown of what traffic is anticipated on the A413, say, by each quarter during the construction period in the morning and evening peaks, so we know whether the road is overloaded, and, if it is, we might think that HS2 should be asked to revise their plans and see what they can do about it.

391. MR HENDRICK: Could I ask what the definition of capacity is, is it the point at which congestion starts to occur?

392. MR CONBOY: No I think capacity is the point at which the flow breaks down.

393. MR HENDRICK: So then you get the bunching effect?

394. MR CONBOY: Yes, you get bunching effects, you get queues; it's the point at which you've exceeded the road capacity. This was the quote I had on – could we go back to slide 15 please? It's this quotation here at the bottom where they say capacity is the point at which the flow breaks down, speeds varying considerably, etc. That's from the roads and bridges manual; that's what they mean by road capacity. It means when you can't get any more through basically. Right, back to 18. Okay, and the last ask is can we have these tables in spreadsheets? It is quite ridiculous to issue pdfs with acres of data, which on their own are quite meaningless. If you've got that amount of data you want to plot it, you want to find the maximum, find the minimums. At the moment we have to take it from a pdf, put it into Word, and then cut and paste it into Excel; I certainly wouldn't even consider trying to type it out. In the scientific community at the moment there's a thing called open data, where when you do an experiment you have to be able to make the data available for somebody else to check it easily. I would ask that HS2 have a look at this way of doing things. We have to do it otherwise they don't pay us. Next slide please. That would particularly apply to the noise figures incidentally, which are even worse.

395. Mitigation list, again, is things you may have heard of and probably will hear about again. We haven't had any consideration of other ways of moving out the bulk materials, moving out spoil, moving in bulk materials, and a railhead. I've stayed near the compound, so I'd better watch my back here, but somewhere on the Chiltern Line there must be a place where you could get rid of some of this stuff without taking it all

out by road. I'd just say that the route of all this, of course, is that there was no comprehensive environmental assessment done in the first instance, which would have told people that if you build a railway through the middle of the Chiltern Hills, particularly on the surface, you've going to have problems with spoil and getting it out, or alternatively, if you haven't got enough to build embankments, getting stuff in again. This should have been thought of ages ago and it should have been assessed in the ES in the first instance. We'd like to prohibit HGV movements during peak hours; I've said here 9.00am to 4.00pm, although the half hour either side of that is pretty dodgy as well; we saw the figures from the earlier petitioners. The only way I think we can keep the...

396. CHAIR: When you say HGV movements, do you mean HS3 HGV movements or all HGV movements?

397. MR CONBOY: Well obviously they can only control their own movements, so, yes, it would be HGVs associated with HS2. In some of the compounds the flows are so enormous it's difficult to see how this can be achieved and I think they have to think about what they're trying to do there. Travel plans in the ES they proposed a car share scheme; now, we know what the take-up for car share schemes is, that is not going to do anything. We'd like them to have a park and ride and with some teeth; if you can't park on the compounds, but you can park somewhere around Amersham or somewhere around Wendover, and be driven in on the bus, then people may do it. The other thing is in the event of an emergency relying on the blue light on the top of the ambulance is a little ancient technology; by that time there is probably nowhere for the HGVs to actually get out of the way, the road is not wide enough, you don't run a 30 tonne truck up the verge in the same way that you might be able to squeeze to the side in a car. So we would ask for some system where in an emergency they actually interrupt the flow of vehicles sometime beforehand, so the ambulances can get through. If that doesn't work then I think we need to look at the air ambulance cover for this area; there is one air ambulance comes up from Benson, is that going to be adequate? One of the main beneficiaries may well be the construction workers themselves; it's a very dangerous industry and they are in places that are not necessarily close to the road. So this is another consideration. These things I think we may revisit next week in possible more detail. That's all I have to say today, thank you for your attention and if there are any

questions I'm not sure whether I'm obliged to answer them, but I will as a witness.

398. CHAIR: You can always take the Fifth. Mr Strachan?

399. MR STRACHAN QC (DfT): Thank you. I'm going to respond to the points that have been made; there is an overarching response, which is of relevance to I think most of what Dr Conboy said, which is that, as the Committee already knows, the promoter is already undertaking further traffic assessments of the A413 and the junctions that Dr Conboy is referring to, and undertaking discussion with Buckinghamshire County Council and the Highway Authority on the results of that work. So I say that's an overriding response, because that process involves further traffic assessments of the A413, and the junction, including the sensitive junctions that Buckinghamshire County Council has identified. And, no doubt, if one wants to call it peer review, but I don't know how you describe it, Buckinghamshire County Council scrutinising that material as part of a review of what our assessments have shown. So, in a sense, because that further work is on-going and being undertaken, the material that's already been put in is going to be superseded by that. That said, I'm still going to just respond briefly to what was done, because a number of criticisms have been made of it, but I do hasten to add that it's somewhat academic in that sense.

400. CHAIR: And the point about the work on the junctions is presumably to increase the capacity of the junctions by engineering works – if that's possible and necessary?

401. MR STRACHAN QC (DfT): If it's necessary then to look at what measures to increase capacity, be it controls on flows or indeed engineering works, whatever may be necessary.

402. CHAIR: Thank you.

403. MR STRACHAN QC (DfT): So I make that general point, but can I just, because Dr Conboy has gone through a number of points, I will just respond briefly, albeit I won't cover everything he said. He referred first of all to the junction with the A413 and Chesham Road, and he referred to some of the modelling work in the environmental statement, but what he didn't refer to was that for that junction itself in the environmental statement, paragraph 12.4.13, I think it's page 192, and I think he was suggesting there isn't sort of sense checking of these things; it was already

identified in the Traffic and Transport section that ‘Changes in traffic flows (12.4.13) are expected to lead to significant changes in delay and congestion to vehicle occupants at the following junctions.’ You’ll see the A413 – sorry, I said Chesham Road, it was Frith Hill I think he was identifying – ‘A413 London Road, B485 Frith Hill, major adverse effect’, and you can see there’s a footnote that explains what a major adverse effect is considered to be. Sorry, back on the same page please, just at the bottom. I’m not sure if we can read it, but ‘When traffic flows the junction will be beyond or very close to capacity with the proposed scheme, and the increases in traffic due to the proposed scheme will be such as to substantially increase queues or delays on a routine basis at peak times.’ So these issues arising from modelling work were being identified in the Environmental Statement, and that’s a precursor to then the mitigation, which is the process of Traffic Management Plans and looking at these junctions in more detail. If the criticism is that we haven’t picked up on these points, that’s not right because they’re in the Environmental Statement and hence the further work that’s been going on with Buckinghamshire County Council, who have, no doubt, themselves wanted us to look at these junctions.

404. The second point was just a general picture that Dr Conboy was suggesting that these traffic flows are going to happen for nine or 10 years and are going to sever this part of the AONB. That’s simply not the case and the Committee has already seen how construction traffic for Environmental Statement purposes is assessed on a worst-case scenario. Just to give you an idea of that again, P8144(1), Dr Conboy went to the construction traffic on Rocky Lane. What one can see from these is that the mass haul movements for Rocky Lane occur for a period of just over two years, and the flows are indicated. So the levels of construction activity which are potentially going to create additional HGV traffic of potential significance to the area are limited in duration, and that’s when, of course, the Traffic Management Plans will need to be particularly effective to deal with that, but the construction periods generating mass haul have already been limited to these periods. And the Committee will have heard, of course, the reason why that happens is that we managed to use the haul routes wherever possible to take the bulk of the traffic and keep it off the roads. That’s why we’re compressing it into these certain periods of time, and the reason for that I’ve already explained, about why you have to come on to the roads at certain points. The traffic, of course, under the bored tunnel options would actually be greater because of the greater

construction works for CRAG T3I that we discussed.

405. MR HENDRICK: Isn't it the case though that by showing the average number of trips, and obviously the area under the graph and the period you're talking about from 04 until 06 gives an idea of the total or the quantum? What I think Dr Conboy was referring to is it doesn't give an indication of the peaks, and the peaks are where you get the congestion.

406. MR STRACHAN QC (DfT): This histogram is not telling you when traffic is released onto the roads during the day; this is just giving you the peak.

407. MR HENDRICK: Well, that's my point.

408. MR STRACHAN QC (DfT): No, that's right.

409. MR HENDRICK: And it would be more valid in terms of looking at where you get major queues and major problems to look at the peaks as well as the overall traffic average.

410. MR STRACHAN QC (DfT): Yes, I was going to make just two points about that. First of all, when traffic is actually going to be released onto the road is the subject of the Traffic Management Plans, so that's something that is going to be dealt with as part of that. But for the purposes of the Environmental Statement, in relation to traffic flows which Dr Conboy did refer to, and also for junctions, but traffic flows, there has been a worst-case assumption modelled there for peak hours where one assumes a – I think it's 13% – but, in effect, release of HGV traffic into the peak as if it were being spread out across the day without regard to the peak hours. So the traffic flow modelling of traffic flows on the roads assumes release of HGVs purely without reference to the Traffic Management Plan. Similarly, it assumes, I think, 50% of the local workforce arriving or travelling by car. I think I've got those figures correct. So the Environmental Statement does do such modelling work but, again, it's very much worst-case scenario and not taking into account the mitigation measures which will come with the Traffic Management Plans. I'll show you that in a moment by reference to his slides.

411. So if we go back to A1361(11). I think he's taken this from our traffic flow analysis.

412. DR CONBOY: Yes.

413. MR STRACHAN QC (DfT): We've explained to Dr Conboy in a letter to him (sorry, I'll get it up on the screen in a moment) that these are traffic flow analyses which happen at points on the road. They're not measuring traffic flows through junctions; that's a separate exercise. This is traffic flow, so you can work out traffic flows at specific points, but you can't, as I think Dr Conboy is seeking to do – they're not intended to be treated as junction flow capacity analyses where you're getting vehicles into –

414. MR HENDRICK: The point Dr Conboy was making is: Wouldn't it be more valuable and indicative of how traffic is going to feel to drivers to show that type of data, rather than just giving numbers, which doesn't mean anything to anybody?

415. MR STRACHAN QC (DfT): These are traffic flows at specific points on a worst-case scenario. I think what Dr Conboy was seeking to take from them was saying that they didn't marry up, the figures are entirely inconsistent.

416. MR HENDRICK: Well, there's that as well.

417. MR STRACHAN QC (DfT): That's what I was dealing with. They're not inconsistent because he's mistaking the different purpose of them. I'll show you the letter. 1362(17). I'm just taking the points he made in turn. If you look at the paragraph: 'However, as identified in Annexe B3, these counts are not, as assumed in your request for information, counts immediately adjacent to the junction of the A404/A413. The London Road count is at Little Missenden recording traffic in the vicinity of the proposed Little Missenden vent shaft, consequently the calculation undertaken to assess the net flow changes at the junction is not appropriate', that's the one he was doing, 'since there are a number of junctions between the A413 count at Little Missenden and the junction that would result in a significant difference between the counts.'

418. MR HENDRICK: Could I ask him to respond to that?

419. CHAIR: Yes.

420. DR CONBOY: That is the initial response from HS2 to our FOI request. I

complained about this, which is the next letter, and they said, 'Oh, sorry, we're wrong, it's nothing –

421. MR HENDRICK: Yes, and they admitted the fault, didn't they?

422. DR CONBOY: 'It's nothing to do with that. It's because we took two different surveys and combined them.'

423. CHAIR: Mr Strachan?

424. MR STRACHAN QC (DfT): That's a separate point which I'm coming to. Let's be clear, there are –

425. DR CONBOY: But let's be clear that –

426. CHAIR: No, let Mr Strachan finish please.

427. DR CONBOY: Sorry.

428. MR STRACHAN QC (DfT): I'll say my piece and then you can. There are traffic flow counts (the traffic flow counts that I've just shown you) and there are traffic junction capacity analyses. They are two separate things: junction capacity analysis is measuring flows in and out of a junction to look at its capacity; traffic flow counts are taking isolated counts at points on roads to look at predicted flows. One of the main reasons for that is to look at severance, so: Are people going to be able to get across the roads bearing in mind traffic flows? But the two things are separate, as you'll know, Mr Hendrick.

429. The first criticism Dr Conboy was making was about the traffic flow counts to suggest there were inconsistencies between traffic in from a road and traffic flowing along it, but that's not what those traffic flows are showing. They're showing counts at different points; they're not purporting to cover every junction. That was the first point we responded to.

430. MR HENDRICK: Well, again, it's a genuine question: How can you get a number of cars flowing into a junction and not get the same number flowing out?

431. MR STRACHAN QC (DfT): That's the separate point which we responded to on

the junction capacity analysis, which was his slide A1362.... I've lost the slide. But that was his second point where he took you to a slide which showed different vehicles going in and out, and we did respond to that as he referred to in A1362(20). I don't know if we can get that on. Page 20 please. He read you the yellow part: 'The short answer is there were different count data used for different arms and –

432. MR HENDRICK: So, he was correct.

433. MR STRACHAN QC (DfT): He's correct but he didn't read out the rest of the explanation. '...these are all adjusted to be consistent using standard road factors, but inevitably the precise growth along this corridor compared to these standards may have introduced some differences. More significantly, the examination showed substantial daily variation, for example...', and then examples are given, 'although these should still present a reasonable average for the period they do show the potential week-to-week and month-to-month variation that can occur, and are likely to be the cause of differences you've observed.' So, there are differences but for the traffic assessment purposes, given the variation you can get in the peak, they were capable of being used for the assessment.

434. MR HENDRICK: But ballpark. They're saying they were ballpark.

435. MR STRACHAN QC (DfT): The reason I have made my preliminary point was, of course, this has all become somewhat academic because we are now carrying out traffic counts and assessments.

436. MR HENDRICK: Maybe, but you wouldn't want the same even mistakes or inconsistencies that were shown in those that Dr Conboy has highlighted to occur in the ones you're doing now, and I think it's valuable that he's brought this up.

437. MR STRACHAN QC (DfT): Well, the reason why I'm responding to it is because they're not mistakes or inconsistencies for the reason I've explained.

438. MR HENDRICK: This letter is quite woolly – the response. I think it's accepting the point that it's not comparing like with like in terms of the way they've put the figures together, and then he's saying it's fancy language to say, 'Well, this is just a ballpark indication of how it might be.'

439. MR STRACHAN QC (DfT): Well, it's there on the page. It says what's been done.

440. MR HENDRICK: It says –

441. MR STRACHAN QC (DfT): It's taken available data, and they're different counts; there's variation in the peak hours for all of these arms as to what flows you'd get at different times, but for these purposes those variations are not going to significantly affect the overall assessment. That said, whenever there's a sensitive junction of the type Bucks have identified, we are carrying out the further counts and assessments and we're producing the further data that they requested, so even more detailed analysis.

442. CHAIR: I presume if you're meeting with Buckinghamshire County Council the first point is to agree the traffic levels and the impact on junctions so that everybody's agreed on what the problem is before you start to try and work out solutions.

443. MR STRACHAN QC (DfT): Absolutely.

444. CHAIR: So, inevitably, if your count is too low and Bucks County Council say it is and they have further information, at some point you're going to come up with a broad approach which is agreeing on the levels of traffic.

445. MR STRACHAN QC (DfT): Yes, and I think Highway's engineers are capable of agreeing, even if there are differences, what a workable difference is to give a valid analysis.

446. MR HENDRICK: Could you tell me, instead of just giving the figures in terms of the number of cars, either average or peak flow, you don't deal with it in the same way that Dr Conboy was dealing with it in trying to assess the percentage of capacity, so you can immediately get an indication of what the flow is like.

447. MR STRACHAN QC (DfT): Yes, and again, that's a matter for the Highway's engineers, but I understand that road capacity is a product of a significant number of features, including, importantly –

448. MR HENDRICK: But we still have the –

449. MR STRACHAN QC (DfT): – junction capacity, and then environmental effects of the road itself: geometry, speed limits, sight lines, conflicting traffic movements, the land use, pedestrian interaction. You can't derive a road capacity from a figure of the type that was being referred to, which is to do with the design of a new rural road; one has to look at capacity of a road having regard to all of the factors. One of the key factors, of course, is junction capacity, which affects the way in which the traffic actually flows along these roads.

450. MR HENDRICK: Yes, I see your point. The formula would be used to design a highway, whereas what you get is empirical data that is actually exhibiting how that road or highway is performing.

451. MR STRACHAN QC (DfT): Because it's there and it has all of those features already in.

452. MR HENDRICK: Yes, I understand.

453. SIR PETER BOTTOMLEY: At the risk of – to Mark's point. When I launched one of the editions of the Institute of Highways and Transportation's 'Brown Book', I think I flipped through it and found it was perfectly acceptable to either have a third of ghost vehicles appear at one end of a junction or a third of real vehicles disappear at the other end of a junction, and I was asked whether I was right to be launching the book. It seems to me that in addition to the comments you've given us there's still something to be explained, and I think that rather than discussing it much further here today it might be sensible if Dr James Conboy could be provided with the way you're going to estimate the capacity of the junctions, what mediation can be taken to increase them to what's necessary, or if you can't do what's necessary, to say so. I think we also, I hope, you going to come on to the question of whether the data which is being used to produce the PDFs can be provided in an open-source way so others can try to use it however appropriately or inappropriately.

454. MR STRACHAN QC (DfT): Yes, well, I think there are two requests there. The first relating to involving Dr Conboy in what we're proposing to do. I don't think there will be any difficulty in telling him what we're proposing to do. Obviously, what we're doing is a discussion with Buckinghamshire County Council and therefore by telling him what we're proposing to do – Buckinghamshire may have their own views so it's a

sort of an iterative process to make sure what we do –

455. SIR PETER BOTTOMLEY: It may be iterative but... I've not been a county councillor but I guess that if I had been if I had people who were taking a serious interest in what I was trying to do I'd welcome having their comments. I wouldn't want to sort of go away and do work in private and then dump it on the interested people.

456. MR STRACHAN QC (DfT): Yes, well. Again, I emphasise I'm not speaking for Buckinghamshire County Council today. I'll leave them to decide how they want to manage it. On the question of provision of data, I think there may be a practical difficulty with providing all of the data in a different format. Indeed, as I understand it, coming back to this peer review point, what's critical is to have the Highway Authority's agreement or assessment of what we're doing. I'm not quite sure how these data is communicated to them. I'll find out.

457. SIR PETER BOTTOMLEY: The data is built up from what Dr Conboy wants into something which he can read but can't use. Is that right? I think it works.

458. DR CONBOY: Yes, it is a real pain to try and convert it back into a spreadsheet, which is what it started out as.

459. SIR PETER BOTTOMLEY: Yes, okay. Feed that back to your people and see what they can do.

460. MR STRACHAN QC (DfT): I'll find out about that.

461. SIR PETER BOTTOMLEY: We aren't in wartime so traffic counts aren't sort of significant to our enemies.

462. MR STRACHAN QC (DfT): The reason I've gone into it perhaps in more detail than was necessary is that the explanations have been given, there is further work going on as Buckinghamshire requested, but the criticisms that have been made we don't accept in the way that they've been put for the reasons I've sought to explain: traffic flows, junction capacity, separate analyses, and then this explanation.

463. CHAIR: Okay.

464. MR STRACHAN QC (DfT): I'll just check if there was anything else. Yes,

sorry. There was just in relation to control of the traffic and mitigation, car-sharing arrangements. It's far more extensive, the options that are available for the green travel plans in the Code of Construction Practice, than simply just car sharing. And if Dr Conboy wasn't aware and didn't hear previously, the histograms and the assessments are very robust in terms of the worst-case scenario because they assume 100% of workers travel to these sites by car with only 20% car-sharing, whereas you can quickly see the measures that would ordinarily be introduced will significantly reduce that in practice, which is going to reduce all of that grey that appears on these histograms significantly. I just wanted to make that point because Dr Conboy may not have been here for it previously.

465. CHAIR: Okay.

466. DR CONBOY: I haven't attended everything.

467. CHAIR: No, no. Brief final comments, Dr Conboy?

468. DR CONBOY: Yes, could we just have my slide 18 back again please? I have to say, first of all, I'm very pleased to hear that more work is going to be done on this. My main asks then, I'll just reiterate. The junction assessments that we've seen have not been realistic and something ought to be done to make them realistic or find out why they weren't. We do need to know what's happening on the roads where displaced traffic will end up. We would like to know what the capacities are on the A413.

469. Regarding the quibbles about the FOI request, I won't go into that in great detail. All I can say is if it was good in the first place, why would Bucks be asking them to do more and do it again. It's not adequate what they've put forward previously. I'm surprised they would put it forward again. If, as we're told, it's not supposed to be consistent, a little note to that effect would have saved a great deal of effort. Also, I'll just ask again that the data be made publicly accessible, not only for the travel information, but also for the noise assessment, which is a very similar situation – pages of numbers and very difficult to do. I hope to see you all next week.

470. CHAIR: Thank you for your contribution and I think that's it for this morning's session. Order, order. If you could please clear the room so we can clear our thoughts.

*Sitting suspended*

*On resuming—*

471. MR STRACHAN QC (DfT): I have three announcements to make. The first is that the Government has deposited the proposed set of changes to the Hybrid Bill in Parliament in the form of a Supplementary Environmental Statement (SES2) and an Additional Provision, which will be known as AP3, and these changes relate to the revised design of Euston Station and the approach area and other design changes in the London Borough of Camden. They are changes made in the light of discussions with land owners, occupiers, and stakeholders with refinements to the design and updated environmental information. The Government is now consulting in accordance with the Parliamentary Standing Orders on the on the SES2 and the Environmental Statement that accompanies AP3.

472. The second announcement is that a Bill amendment giving effect to the deletion of the HS1 link has accompanied the deposit of AP3. The Amendment includes: changes to the title of the Bill, the description of the works; the deletion from the Bill schedules of the relevant and scheduled works of land parcels, listed buildings, and highways for that link; and the redundant Bill plans and sections were also removed from the list of exceptions in Clause 57 of the Bill. The amendments will be incorporated within the filled Bill when this is prepared after the House of Commons' process. The landowner notices issued in accordance with Standing Order 13 were withdrawn on 2 May 2014, and the SES that was deposited with AP3 also includes an assessment of the environmental impacts that arise from the deletion of the link, including, in particular, traffic impacts.

473. Finally, the third announcement just relates to the fourth publication of the Draft Register of Undertakings and Assurances. The fourth version of the Draft Register of Undertakings and Assurances will be made public today before midnight on the HS2 website. It's an Update Register providing the details of all undertakings and assurances that have been offered to petitioners up to 24 July 2015. The Register now contains 885 undertakings and assurances in total, and since the last publication 200 additional undertakings and assurances have been offered. There will be a change log on the website so that people can see what relevant amendments to the previously published

information have been made, and it would be useful if petitioners who have been offered undertakings and assurances up to that date could check the Register to see whether it matches their understanding of where they've been offered. We'll publish further regular updates of the Register to keep the public informed. The next update is due to be published before Christmas.

474. CHAIR: Thank you. Anything more?

475. MR STRACHAN QC (DfT): No, those are the only announcements. Thank you very much for listening.

476. CHAIR: Okay. Thank you very much, Mr Strachan, for that update. Any other comments? Order, order. Thank you.