

# KINGS BROMLEY PARISH COUNCIL

## Minutes of the Extraordinary General Meeting held on

Monday 12<sup>th</sup> September 2017 commencing at 6pm at Kings Bromley Village Hall.

Note – corrections to these minutes will be recorded in the minutes for the following month.

**Present:** Cllrs. Allan Howard (chairman); Jan Higgins; Steve Brown; Nigel Lee; Mary Gair; Charles Cole.

**In attendance:** Members of the public present: Dr. Amanda Lee, Guy Allsopp, Nigel Rogers, Julia Allsopp, Wayne Bull, David Smith.

HS2 representatives: Liz Davies (Stakeholder Engagement Officer Phase 2a), Tahir Ahmid, (Engagement Manager Phase 1).

The minutes were taken by Cllr. Howard.

### 1. Apologies and approval of absence.

Cllr. I. Pritchard; Parish Clerk Ian Colclough.

### 2. a) in accordance with Section 31 of the Localism Act 2011, members to declare any Disclosable Pecuniary Interest in items on this agenda.

Steve Browne – HS2 Phase1 as member of Action Group b) Chairman to report any written requests for dispensations in respect of items on this agenda. None received.

### 3. To put questions to and receive an update from HS2 representatives.

The meeting was quite short due to Liz Davis having to attend a meeting at Longdon at 7.15pm. The purpose of this meeting was to allow HS2 to respond to questions raised at the previous EGM held on the 7<sup>th</sup> August. The meeting was recorded on a hand-held device to assist Cllr. Allan Howard in the creation of minutes.

#### Issue: The proposed height of the railway:

The question of why the embankment and viaduct are the same height as was proposed before the line was changed to pass under the A38 at Streethay rather than over it. The height has clear implications with regard to visual impact, the amount of quarrying required and the raising and possible moving of the power lines. No answer to this question was received at the previous meeting. Liz Davies replied that HS2 were still looking at the design with respect to the height, the location and size of borrow pits and the Common Lane closure and the comments from village residents would be taken into account. The reason that Neil Hodgson, Area Engineer Phase 2a, Richard Johnson HS2 Area Manager were not at this meeting was that they were currently busy working on the design. HS2 were also re-doing the construction routes, especially those around Hill Ridware and reviewing the landscape mitigation planting and the location of utilities. With regard to the height, Liz Davies had just received a letter from the design team which she would email to the Parish Council. Liz Davies confirmed that the District and County Councils were making strong representations on this issue.

#### Issue: The Letters to Kings Bromley Residents (S013 notices)

Residents to the south of the village in Victoria Meadow, Alrewas Rd (South), Lant Close and Victoria Meadow etc. are worried that the letters they have received from HS2 infer that some of their land will be lost to compulsory purchase.

Written HS2 answer:

*We have investigated these cases and they relate to temporary access to enable utility works. Liz Davis has had detailed conversations with Mr and Mrs Goodwin to reassure them and also subsequently visited them on 1<sup>st</sup> September to discuss their situation; this meeting was also attended by our Land and Property team, who were able to provide specific related advice for Mr and Mrs Goodwin.*

*For all such S013 enquiries where specific clarification is required to reassure residents (where permanent land take is not being sought by HS2), we will be issuing appropriate letters to confirm*

same to each respective resident. The timescale for issuing these letters has not been determined, but Liz Davis will keep you informed on progress.

The works near Alrewas Road is re-conductoring works associated with National Grid's 400kv overhead line diversion at Kings Bromley.

High level programme dates for these works is between end of July 2021 and mid October 2021. The indicative timescales of works 8-10 weeks, hours 08.00 – 18.00 and residents will be notified of the works initiation beforehand.

#### Discussion:

Liz Davies assured the meeting that she had talked to the Hybrid design team and that residents would be receiving letters that their land would not be required on a permanent basis. No time scale could be given on the issuing of these letters. Steve Brown asked if everyone concerned would receive a letter. Liz Davies confirmed that they would. Those residents who had expressed concerns would be prioritised in this process. All those residents who had received notices had been talked to.

#### **Issue: Closure of Common Lane**

This is causing extreme concern. Closure would mean that farm vehicles and vehicles delivering to and from the industrial units at Woodgate would be forced to use Crawley Lane past the school entrance – already considered a potential accident site. The 100-year-old Kings Bromley Show uses Crawley Lane as an entrance and Common Lane as an exit: having to use Crawley Lane as both entrance and exit would cause such congestion that it may not be possible to continue with the show. As well as vehicles, cyclists, runners and walkers all use Common Lane as part of the only circular road route from Kings Bromley; its loss would be a serious loss of amenity.

On the question of compensation for houses and businesses in Crawley Lane/ Common Lane blighted by the closure of Common Lane and the construction/quarrying works, HS2 referred the parish council to the following documents:

[www.gov.uk](http://www.gov.uk) – search for HS2 compensation

*These documents offer compensation and rights information for businesses and landowners on the HS2 route from London to the West Midlands (Phase One), but are also to be applied in 2a about:*

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593535/C01\\_-\\_Information\\_for\\_Property\\_Owners\\_v1.6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593535/C01_-_Information_for_Property_Owners_v1.6.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593536/C02\\_-\\_Rural\\_Landowners\\_and\\_Occupiers\\_Guide\\_v\\_1.6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593536/C02_-_Rural_Landowners_and_Occupiers_Guide_v_1.6.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593538/C03\\_-\\_Ground\\_Settlement\\_v1\\_4.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593538/C03_-_Ground_Settlement_v1_4.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593539/C04\\_-\\_Land\\_Acquisition\\_Policy\\_v1.6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593539/C04_-_Land_Acquisition_Policy_v1.6.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593540/C05\\_-\\_Safeguarding\\_v1.6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593540/C05_-_Safeguarding_v1.6.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593541/C06\\_-\\_Disposal\\_of\\_Surplus\\_Land\\_and\\_Over-Site\\_Development\\_v1.5.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593541/C06_-_Disposal_of_Surplus_Land_and_Over-Site_Development_v1.5.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593542/C07\\_-\\_Business\\_Relocation\\_v1.5.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593542/C07_-_Business_Relocation_v1.5.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593544/C08\\_-\\_Compensation\\_Code\\_for\\_Compulsory\\_Purchase\\_v1.5.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593544/C08_-_Compensation_Code_for_Compulsory_Purchase_v1.5.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593545/C09\\_-\\_Recovery\\_of\\_Costs\\_by\\_Property\\_Owners\\_v1.5.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593545/C09_-_Recovery_of_Costs_by_Property_Owners_v1.5.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593546/C10\\_-\\_Small\\_Claims\\_Scheme\\_v1.6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593546/C10_-_Small_Claims_Scheme_v1.6.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593549/C13\\_-\\_Local\\_Authority\\_Funding\\_and\\_New\\_Burdens\\_v1.4.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593549/C13_-_Local_Authority_Funding_and_New_Burdens_v1.4.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593548/C12\\_-\\_The\\_Community\\_and\\_Environment\\_Fund\\_and\\_Business\\_and\\_Local\\_Economy\\_v1.7.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593548/C12_-_The_Community_and_Environment_Fund_and_Business_and_Local_Economy_v1.7.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/593588/C14\\_-\\_Site\\_Access\\_for\\_Surveys\\_v1.3.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593588/C14_-_Site_Access_for_Surveys_v1.3.pdf)

*We will also be happy to arrange meetings with our Land and Property team to discuss individual cases with residents and landowners and these meetings can be arranged through Liz Davis.*

Nigel Lee stated that these documents refer to farms rather than businesses and that HS2 was not following normal business procedures with respect to standard UK business practice compensation (the examination of monthly audited accounts, so that any shortfall during the construction period and after would be made good). Liz Davies replied that she had asked Julia Allsopp at the Cattery to wait for the Land and Property Team to report 'Safeguarding refresh?' at which time she would again be contacted with regard to compensation packages. Julia Allsopp was asked whether that was a satisfactory answer and she said she had been waiting for information for a long time and had received nothing either on this or the issue of the closure of Common Lane. So she will still be worried about what would happen on Common Lane and whether she would get or need compensation. Liz Davies promised that she would meet again with Julia as and when safeguarding had been refreshed, which might be some months.

Written HS2 answer on why Common Lane is to be closed under the present scheme:

- *Ensures that embankment and viaducts heights are kept as low as possible in this area; reducing the visual impact of the scheme on the surrounding landscape and the amount of earthwork construction activities in the vicinity.*
- *Avoids creating a long-term drainage risk and maintenance legacy that would result from creating a localised dip in the highway.*
- *Minimises the amount of works proposed within the Bourne Brook and River Trent floodplains.*
- *Provides vehicle crossing points only at locations where sufficient headroom will exist*

*Maintenance loops were initially provided at approximate chainage 194+000 Working Draft EIA design which constrained the vertical alignment of the railway. The maintenance loops have since been removed in the Proposed Scheme.*

*Where the proposed railway crossed over the existing alignment of Common Lane, the proposed embankment is not high enough to provide an underbridge with sufficient clearance to maintain access along Common Lane.*

Written HS2 answer as to possible Ways of keeping Common Lane open:

*Where the proposed railway crossed over the existing alignment of Common Lane, the proposed embankment is not high enough to provide an underbridge with sufficient clearance to maintain access along Common Lane. During design development of the Proposed Scheme the following alternatives to closing Common Lane were considered:*

- *Raise the HS2 alignment to provide sufficient clearance.*
- *Lower the Common Lane alignment into a dip as it passes beneath HS2 which would require pumped drainage.*
- *Raise Common Lane on an overbridge with approach embankments to cross over HS2.*
- *Divert Common Lane to the realigned A515 Lichfield Road on the north-eastern side of the Kings Bromley viaduct.*

*We are continuing with this work to identify if any of these options are feasible.*

Discussion on alternatives to the closure of Common Lane:

Liz Davies stated that the present plan was created to provide for the Hybrid Bill a scheme that was 'fit for purpose' from an engineering point of view. The current discussions are to see whether problems created for the community caused by the railway and its construction can be solved or mitigated.

The four options were discussed. There was clear agreement from both the farmers and Nigel Lee (who stated his credentials as a civil engineer with wide experience of this issue) that option 2 would not require pumped drainage - examples of such underpasses in the area are legion. The flood risk assessment of HS2 states that the area is not prone to flooding and therefore the likelihood of an underpass flooding is extremely remote – potentially a few days each year.

The question was asked as to when the community would be able to comment on whichever of these options, if any, was adopted and whether this would be before the Hybrid Bill made the proposed plan set in stone. The answer is that the next stage in the consultation process would be a petition. Once the consultation period has finished an independent report made, this has to be considered in the House of Commons by MPs. This could be done by the end of the year (pace Brexit). Any petitioning (presumably) depends of whether the report takes into account the concerns raised through the response forms.

It was pointed out that the impact of Common Lane being closed was lorries and combine harvesters going past the school on the narrowest part of Crawley Lane, which is also heavily used by pedestrians and cyclists. The issue should not be considered as so much a technical one, but more an assessment of cost versus the risk of injury to the villagers and their children. Nigel Lee referred to the Closure of Common Lane as an 'act of vandalism'. Liz Davies replied that HS2 were well aware of the concerns of the community on this issue and as far as HS2 is concerned 'safety is paramount'.

It was asked whether if the alternative route solution (option 4) were adopted the local authority would take on responsibility for it. There was no reply on this.

It was reiterated again that the community and Parish Council must provide as much feedback as possible through the online consultation process response forms on this and all the other issues. It was pointed out the Parish Council was encouraging parishioners to respond. Liz Davies stated that the more individual responses that were received the better.

### **Issue: Borrow Pits**

Written HS2 answer as to access to the borrow pits:

*The borrow pits will be accessed (by workers) either from the main satellite compound on A515. If early access is required for site set-up, it will be via Common Lane until the A515 access is available. Backfilling of the borrow pits will also be via the A515.*

*(The only reason Crawley Lane is being upgraded (permanently) is to access a balancing pond once the borrow pit has been used. The only contractors that will access to this route are the contractors themselves).*

*The 'Consolidated Construction Boundary' is the land potentially required during construction.*

*Temporary, with respect to materials stockpiles and employee accommodation means that the area would be used for these purposes during the scheme construction period.*

### **Issue: Magnitude of Environmental Impact.**

Written HS2 answer as whether the borrow pits can be outside of the Staffordshire County Council's 'Area of Search' and whether work on them need conform to Policy 4 of the Council's Minerals Plan which addresses noise, air quality, visual amenity, vibration, traffic on the highway network, public rights of way and public open space, Green Belt, the countryside, landscape, natural environment,

historic environment, agricultural land, stability of land, flood risk, land contamination and cumulative impacts in a locality?

*As noted not all of the proposed borrow pits are within areas of search in the Staffordshire County Plan. They are however within the minerals safeguarding areas. As the planning authority for the High Speed Rail (West Midlands – Crewe) Bill (the Bill) is Parliament the project is not required to meet the policies in Staffordshire County Council's Minerals Plan although the Borrow Pit Restoration Strategy referred to below explains how the restoration proposals can be achieved in line with the relevant policy guidance. The borrow pit will be subject to a range of controls in the Bill and associated documents which will ensure the effects of the works on the environment and communities are suitably controlled. These controls address the environmental matters raised in your query. They are described in the HS2 Phase 2a Information Papers listed below:*

- *B2: The Main Provisions of the Planning Regime*  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/627917/B2\\_Main\\_Provisions\\_of\\_the\\_Planning\\_Regime\\_v1.0.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/627917/B2_Main_Provisions_of_the_Planning_Regime_v1.0.pdf)
- *E1: Control of Environmental Impacts*  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/628447/E1\\_Control\\_of\\_Environmental\\_Impacts\\_v1.0.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/628447/E1_Control_of_Environmental_Impacts_v1.0.pdf)
- *D12: Borrow Pits*  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/629268/D12\\_Borrow\\_Pits\\_v1.0.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/629268/D12_Borrow_Pits_v1.0.pdf)

*Paragraph 7 of Schedule 17 (Planning Conditions) to the Bill (described in Information Paper B2) requires the nominated undertaker to obtain approval from the relevant planning authority, where they are a qualifying authority, for plans or specifications for the excavation of bulk materials from borrow pits. The grounds on which the relevant planning authority can refuse approval or impose conditions relate to the design or external appearance of the borrow pits, the methods by which they are worked and arrangements as to noise, dust, vibration or screening during their operation. Requests for approval under the Planning Conditions Schedule will address the matters relevant to the authority's decision. This is also set out in the Borrow Pit Restoration Strategy (link below) which was submitted as part of the Environmental Statement and which has been developed to take account of the national and local mineral planning policies applicable in Staffordshire and Cheshire East.*

*Borrow Pit Restoration Strategy:*

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/627178/E30\\_CT\\_009\\_000\\_WEB.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/627178/E30_CT_009_000_WEB.pdf)

*In addition to the planning control in Schedule 17 the works will have to comply with the Environmental Minimum Requirements (EMRs). This is a suite of documents that is being developed in consultation with local authorities and other relevant stakeholders in relation to the environmental impacts of the design and construction of the Proposed Scheme 5. Any nominated undertaker will be contractually bound to comply with the controls set out in the EMRs. Amongst the documents that comprise the EMRs is the draft Code of Construction Practice. The Code of Construction Practice sets out specific details and working practices in relation to site preparation (including site investigation and remediation, where appropriate), demolition, material delivery, excavated material management, waste removal and all related engineering and construction activities. These will be the arrangements by which the nominated undertaker and any sub-contractors will be required to work. One of the matters addressed in the Code of Construction Practice is working hours.*

*In summary therefore while not subject to local planning policy the borrow pits will be subject to a range of controls which will suitably protect local amenity.*

**Discussion on Location of Borrow Pits and Environmental Safeguards:**

Once the Hybrid Bill has been passed HS2 effectively becomes the Planning Authority and SCC is not involved.

The Phase 1 Hybrid Bill makes no mention of borrow pits. In answer to the question of whether Phase 2a borrow pits could be used to provide material for Phase 1, Tahir Amid said he was not sure and would have to find out.

In answer to the question of whether existing quarries in Staffs could be used to provide the sand and gravel, the answer was given that these did not have the capacity and were close to being worked out. Ground investigations (including boreholes) on the Phase2a borrow pits would hopefully be taking place later in the year. It was pointed out that these would in all likelihood prove that the pits would be wet pits like the existing one at Manor Park. Tahir Amid said that on Phase1 ground investigations would begin in September, a notification had been sent to the Parish Council and land owners. This has not been received and would be sent again if there is a problem with email addresses.

**Issue: HCV Traffic.**

In answer to the question: Will the commitment to no HS2 traffic travelling through Kings Bromley be held to? Will this be enforced by the erection of 'No HS2 traffic' signs and the clear marking of HS2 vehicles and contractors', vehicles? The following written answer was given.

*Prior to the works commencing a traffic management plan will be developed which will be consulted on by the local authority and relevant stakeholders. The traffic management plan will set out the agreed transport routes and set out routes that are not to be used by construction traffic.*

*All hauliers used by the Contractors will be trained on the requirements of the traffic management plan and the Contactor will have obligations to monitor and enforce the requirements of the plan.*

*Performance of the Contractor and their hauliers against the requirements of the TMP would be discussed at the local community liaison groups set up to voice concerns and receive information during the period of construction works in the local area.*

Discussion on HS2 HCV traffic:

Liz Davies would send the Parish Clerk a copy of the 'transport assessment'. The traffic management plan (TMP) currently is under development for Phase1, that for Phase2 will be 'further down the line', probably replicating the principles adopted for Phase 1.

On being asked whether there was still a commitment to no HS2 traffic passing through Kings Bromley, Liz Davies answered that there was. Tahir Amir stated that there would be tracking of HS2 vehicles (including contractors) to make sure that they only used the approved routes. If an HS2 vehicle is spotted going through Kings Bromley (with an HS2 banner on it) then we should ring the HS2 Help Desk and action would be taken (what that action would be depends on the wording of the TMP). Liz Davies stated that it is in the interest of HS2 not to antagonise local communities.

**Issue: Impact on Local Economy**

*As confirmed at the meeting by Richard Johnston, there will be a plan to incentivise contractors to use local businesses.*

**Concluding Remarks:**

It was agreed that in future HS2, in the form of Liz Davies, would subsequently attend Kings Bromley Parish Council as part of her role of community liaison. In October or November HS2 will hold 'surgeries' for individuals who wish to talk about issues that concern them, given time slots, dates and places to be confirmed.

It was agreed that the PC Working Group would put together and submit the consultation response form on behalf of the Parish Council.

There being no further business the meeting closed at 7pm.

Signed ..... (Chairman) Date 11<sup>th</sup> October 2017.