To the House of Lords  
Session 2015–16

PETITION against the  
High Speed Rail (London – West Midlands) Bill

THE PETITION OF Jennifer Irene Waller  
Declares that:

1. The Petitioner is specially and directly adversely affected by the whole Bill.

2. Your petitioner - The Petitioner is a resident of Wendover Parish, being part of the Chilterns Area of Outstanding Natural Beauty (AONB). She will be specially and directly affected by the whole Bill for the proposed HS2 line both during construction and after completion.

3. The Petitioner is injuriously affected by the Bill. Your Petitioner objects for reasons here detailed:

Your petitioner is a retired professional person, and a freehold owner of “The Outlook” Dunsmore HP22 6QJ. Dunsmore is a tiny rural settlement, no pubs, no shops, no street lighting, no mains drainage, and little noise. This morning the ambient noise level recorded was 39.5 decibels. This is a very low ambient noise level and is typical reading for Dunsmore. Any increase in decibel level will be very noticeable given the very low baseline. For many of the residents of Dunsmore and in particular for your Petitioner Dunsmore is a haven of beauty and tranquility. It is the highest settlement in The Chiltern Area of Outstanding Natural Beauty, over 800ft above sea level. Dunsmore is on the ridge adjacent to the National Trust area known as Coombe Hill, and close to Chequers Estate. Dunsmore is surrounded by Beech woods, pasture and agricultural land. There are two spring fed ponds a small common and many footpaths and bridleways. Part of the inter-connected PRoW that are such a feature of the AoNB. A single-track lane reaches the settlement from the A413. The lane then runs west to the Rignall Road.

Dunsmore has been included by HS2 Ltd in bilateral and forum meetings in recognition of the serious impacts of the HS2 proposal and line.

Your Petitioner's rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

Your Petitioner is seriously and adversely affected now and during both the construction phase and then during operation
Living in Dunsmore, in the AONB, is a privilege. Privilege carries responsibilities. As part of the Community of Dunsmore, your Petitioner has worked consistently to protect this environment for posterity. It is accepted that there will be rare occasions when such a protected landscape needs to be forfeited for the National good. However, having considered this for 6 years, and examined the evidence, your Petitioner is convinced that HS2 is not in the National good. Government has ignored evidence which disproves the case and withheld relevant information. There is still no integrated transport policy. The needless desecration of this protected landscape will therefore be a tragedy.

The blight and effort that your Petitioner has dedicated to examining and involvement in the HS2 process has deprived the Petitioner of the potential of enjoying a fulfilling and rewarding retirement. Being of a certain age it is causing me considerable anxiety that my remaining years will be spent looking at and hearing a giant construction site and then if I live long enough the horrendous spectacle of the concrete monstrosity, that is the line, and high speed trains destroying the tranquility. I would, if I could, walk away and sell my home. Because of the derisory and restricted compensation scheme I would be financially compromised. Government are totally unmoved by my, and the plight of many others. They care not about the financial, health, emotional and social consequences of HS2. It is making a disgrace of democracy. It is generally considered that the proposal is being pushed forward by vested interests.

Problems caused by the Construction and Operational Phases, which will injuriously impact on your Petitioner

1. Property devaluation and difficulty in selling the property.

Properties in Dunsmore were bought at a premium and in great demand, because of the peace, beauty and tranquility of the area, and its position in the AoNB. This is no longer the case and as a consequence your Petitioner will have suffered financially. As we say for people along the line its all pain and no gain from the proposed HS2.

The remedy would be for HS2 Ltd to buy the properties at incremental pre-blight prices of all the people who undoubtedly will be detrimentally affected. Also compensate them for the costs in the process of buying and selling property. By doing this and by assessing comprehensively the losses to local
economies incurred because of HS2 the true cost of HS2 would be known.

The remedy is a fully bored tunnel though the whole of the AONB

2. Construction and operational noise impacting on tranquility. In a tranquil area any increase in Decibel levels is intrusive and fluctuating noise levels more intrusive.

3. Destruction and irreversible damage of this unique landscape. The proposed line in the area of Dunsmore, south of Wendover, includes two 500 metre viaducts with a maximum height of 26 metres and a joining high embankment, balancing ponds, feeder station, spoil dumps otherwise known as sustainable placement areas.

4. Visual intrusion from construction and operation. Light pollution from Construction and operation of the trains.

5. Decrease in air quality caused by construction dust.

6. Reduced access to health facilities and all emergency services.

Impaired access to amenities will have a serious deleterious effect on Your Petitioner.

7 Your Petitioner has 2 daughters who grew up in the Chiltern AONB and they will inherit the family home upon the demise of your Petitioner and her husband. Because of the loss of property values in Dunsmore your Petitioner avows that the HS2 project will be responsible for a serious reduction in their inheritance. This surely flies in the face of natural justice as Your Petitioner and her husband have gone to considerable expense in financial planning for their retirement and ensuring that their children and grandchildren are adequately provided for financially within Your Petitioners limited resources.

Hierarchy of Remedial Measures:

1. A fully bored tunnel through the whole of the AONB. Whilst the Southern section of the AoNB has received tunnelling by way of mitigation this protection has been denied to the Northern section. All excavated, spoil and waste material should be removed from the AoNB.

2. Failing a fully bored tunnel an enclosed structure similar to the Arup
concept enclosure would be required on the 2 viaducts, Wendover Dene, and Smalldean, and on the embankment, to ensure people would neither see nor hear the trains. At the same time the electricity supply should be buried and pylons should be got rid of. Every crossing point should be designed as green bridges and we need world-class design for viaducts etc for this specific setting.

3. The Code of Construction Practice should be legally binding with independent oversight.

4. Compensation Scheme is not, but should be fair.

The impact on Dunsmore has not been acknowledged, or properly assessed in ES. There has been a failure to comprehend the topographical nature of the Misbourne valley, the Environmental Select Committee reported that only 40% of the route had been fully assessed, this must be rectified before the Bill proceeds as the destruction cannot reversed.

Remedial Measures:

- Your Petitioner requests that a fully bored tunnel through the whole of the AONB can best remedy the above. Currently only the Southern section of the AoNB has received tunnelling by way of mitigation. This protection has been denied to the Northern section. There have been constant misrepresentations of the Proposed line and mitigation through The Chilterns AONB. The Green Tunnel” is an attempt to disguise the nature of a trench and with a roof on it!

- Failing a fully bored tunnel an enclosed structure similar to the Arup concept enclosure would be required on the 2 viaducts, Wendover Dene, and Smalldean, and on the embankment, to ensure people would neither see nor hear the trains. At the same time the electricity supply should be buried and pylons should be got rid of. Every crossing point should be designed as green bridges and we need world-class design for viaducts etc for this specific setting.

- The Code of Construction Practice should be legally binding with an independent overseer.

- Compensation Scheme is not fit for purpose and is not fair. It needs to be made fit for purpose and to fully compensate everyone, who has lost out, regardless of distance from proposed line, taking full account of their losses, this should include a figure for amenity loss not simply property value loss.
The Petitioner has additional concerns about the construction of the Green Tunnel, and the associated impact on the Coombe Hill aquifer that feeds the Grand Union Canal and Weston Turville Reservoir SSSI. The key concern relates to currently undefined requirement to add reservoirs, pipelines and a pumping station to mitigate the damage caused by extensive interception of the aquifer; and the associated extension of the construction costs and timescale in the Wendover area which could be avoided by redesign.

The Petitioner has serious anxiety about the proposed 6 metre high noise barriers to be erected between the green tunnel entrance and the Small dene viaduct, and also the additional 4 metre barriers.

There is only 1 solution to the HS2 proposed State vandalism.

The petitioner again proposes that a fully bored tunnel through the AONB and running underneath the Coombe Hill aquifer would be an effective solution to all the construction and subsequent phase impacts.

4. The prayer

The petitioner therefore asks the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Signed'

Date 13-04-16
To the House of Lords  
Session 2015–16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF  

David Miles Marshall  

Declares that:  

1. The Petitioner and his wife are specially and directly adversely affected by the whole Bill.  

2 Your Petitioner  

is a residents of Wendover Parish, being part of the Chilterns Area of Outstanding Natural Beauty (AONB). He will be specially and directly affected by the Bill for the proposed HS2 line both during construction and after completion.  

He is injuriously affected by the Bill, to which your Petitioner objects for many reasons, stated in this Petition.  

Your petitioner is the freehold owner of Hampden Way, Little London, Wendover, Bucks, HP22 6QQ. He has lived in Little London since 1975. Your Petitioner and his wife assert and, are extremely concerned, that the value of their property has already reduced and will do so further during construction and, despite Government assurances, once HS2 is in operation. Furthermore their enjoyment of their property will be catastrophically reduced during construction and operation. The property is situated in the Chilterns AoNB on the west side of the Misbourne Valley, directly opposite Hartley Farm and 650ft up the valley side. It has unobstructed views of the hillside where the proposed railway HS2 would run on two viaducts and an embankment. Also views of the proposed substation and balancing ponds. Your Petitioner is Chairman of the Trustees of Dunsmore Church, and Trustee of the Dunsmore Village Hall Association.
He will be seriously and adversely affected during both the construction phase and then during operation.

**Problems caused by the Construction Phase which will injuriously impact on your Petitioner:**

1. There will be serious disruption of traffic and substantial delays caused by the daily addition of 300 HGV’s envisaged by HS2Ltd using the A413, B4009 and the A41. The proposed closure of Smalldene Lane will mean that all vehicles will have to use the Dunsmore Lane junction with the A413, this junction was not given special analysis by HS2Ltd during the Environmental Statement despite comments in response that the traffic flows asserted by them are completely wrong. The closure of Smalldene Lane will force your Petitioner when returning from Wendover or Aylesbury to use the A413 and stop and make a right turn to get home. Crossing continuous and heavy traffic with limited visibility putting your petitioner, his wife and others at risk.

Your Petitioner regularly cycles to Wendover using Smalldene Lane. He will be deprived of this amenity. Your Petitioner would be unwilling to cycle along the A413 because of the traffic.

2. The congestion will have a detrimental effect on the delivery of Emergency Services to Dunsmore and will impact on the journey times to the Health Care facilities located in Wendover. This is injurious to the Petitioner as his wife is disabled, he is her main carer, and she lives at home.

4. The chalk dust from the construction will be of great nuisance when we have Easterly winds and it is inconceivable that the whole construction area can be kept damp to prevent the dust travelling large distances from the site. This will increase his work load in maintaining his property.

5. Your Petitioner currently enjoys relatively little light pollution and the need for powerful lighting on the construction site and the construction camps will have a deleterious effect on the “dark skies” currently enjoyed by him.
Problems caused by Construction and Operation phases of proposed HS2 injuriously impacting on your Petitioner.

1. The outstanding feature of your Petitioner's home, a bungalow, is its aspect. HS2 in both phases will have disastrous consequences for his quality of life and when he and his disabled wife eventually need to sell their property they will have considerable difficulty and a sale may be impossible at any realistic price anywhere near the unblighted value. The Petitioner finds himself in a position, like many others, where Compensation for HS2 will be virtually non existent.

2. Noise from construction and operation will destroy the tranquility of the property. Although approximately 1km from the proposed line, there is nothing in the way to act as a noise barrier. HS2 Ltd noise assessment has not taken into account the topography of the valley or the tranquility levels. HS2 have repeatedly ignored requests to assess baseline noise levels, and although acknowledging that noise will be an issue in the valley have chosen to ignore it. The Chiltern line running in the valley below the Petitioner's property is in a cutting, and the A413 is beyond. The noise is significantly reduced by the topography housing and hedging, This will not be the case with HS2 in the local area which is on 2 high viaducts and a huge embankment.

Problems caused during operation of HS2 will have the following injurious effects on your Petitioner:

1. Your Petitioner's view of The Chilterns AONB would be permanently and irrevocably scarred by the construction of two viaducts and an embankment with heights ranging from 10 to 18 metres and the associated catenary on top of that. The line would be visible from numerous viewpoints around Dunsmore and from your Petitioner's own property. The cumulative effect would be overpowering and would destroy what is a Nationally protected landscape.

2. The effect of a maximum 36 x 400 meter trains per hour will totally destroy the tranquility of Dunsmore and its environs. As mentioned above Dunsmore enjoys relatively high levels of tranquility and it is a matter for regret, that, despite requests to HS2Ltd they chose not to undertake any sound surveys here, this, despite us having a private study done to establish a baseline level of noise. HS2Ltd have admitted that,
as our settlement is located above the line we would experience serious aural and visual disturbance yet have not produced any solution to this problem. The issue of night time maintenance and track grinding is also an area of great concern to your Petitioner.

3. The noise from these trains will cause an intolerable strain upon your Petitioner's life and his sleep. Currently when working in the garden the noisiest feature is a blackbird singing at the end of the garden where your Petitioner spends a great deal of time as he is now retired. During operation the noise will be every 90 seconds and will vary according to the trains position either on a viaduct or passing along the embankment. This fluctuation has been shown in studies to present more annoyance and associated health risks than a constant loud noise.

Your Petitioner currently enjoys relatively little light pollution and the need for powerful lighting on the construction site and the construction camps will have a deleterious effect on the "dark skies" currently enjoyed him.

Remedial Measures: - A fully bored tunnel to the end of the AoNB would solve most of the problems not only for the Petitioner but also for the many thousands of people who come from a wide surrounding area, including London. They walk, ride and enjoy this currently unspoiled yet accessible countryside. The closest and most accessible AoNB to London. The construction above ground of HS2 in the AONB would be an act of irreversible vandalism that few would wish to include in their legacy.

The petitioners propose that a fully bored tunnel through the AONB and running underneath the Coombe Hill aquifer would be an effective solution to all the construction and subsequent phase impacts.
3. The Prayer

The petitioner therefore asks the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

Signed

David Miles Marshall

Dated 16th April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF

Vanessa Havard

Declares that:

1. The Petitioner is specially and directly adversely affected by the whole Bill.

2. Your petitioner

The Petitioner is a resident of Dunsmore, Wendover Parish, being part of the Chilterns Area of Outstanding Natural Beauty (AONB). She will be specially and directly affected by the Bill for the proposed HS2 line both during construction and after completion.

The Petitioner is injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

Your petitioner's concerns.

As someone regularly using the facilities and amenities of Wendover, your Petitioner is worried that the detrimental effect of HS2 both during construction and operation will adversely affect the local economy and community causing loss of the valued shops, services and amenities used regularly by the Petitioner thus causing her considerable inconvenience. She is also concerned that the ambiance and enjoyment of the village will be lost to her as a result of the visual impact of the viaduct, green tunnel and the extensive 6m high noise mitigation barrier scheme.

The location of your Petitioner’s home in Dunsmore has panoramic views across the Misbourne valley, the beauty of which will be lost forever once HS2 is constructed on the opposite hillside. The outstanding feature of your Petitioner’s home is its aspect and it is highly unlikely that she could realize its pre-blight value in the event that it becomes necessary to sell the property. Your Petitioner and her husband had planned to down-size to a smaller and easier to maintain property within the next 7 -10 years but have been told by a local estate agent that, unless the house is marketed and sold before construction commences, it is highly unlikely that a buyer could be found as it is will seriously affected by the work itself and from the positioning of a construction camp on the opposite hillside at eye level from her property. This construction camp is likely to be lit 24 hours a day causing light pollution for the
duration of the construction period. Much of your Petitioner's assets are tied up within the family home and loss of its value will adversely affect her ability to provide for the future of her daughter who will never be able to support herself financially. This is a cause of significant stress and worry.

Your petitioner is the mother/carer of a daughter with significant complex medical conditions. She needs to be available to support her daughter whenever she is away from her mother’s care, i.e. whilst she is at college in Flackwell Heath. She also makes several return journeys per week to Wendover Health Centre to collect her daughter’s considerable amount of essential medications and prescribed feed on which she depends for her total nutrition. Deliveries to the property of dialysis supplies and feeding equipment take place two or three times a month. Additionally, there are weekly clinical waste collections. The serious disruption of traffic and substantial delays caused by the daily addition of 300 HGV’s envisaged by HS2 Ltd using the A413, B4009 and the A41 will impact on her ability to cater for her daughter’s medical needs. She is also concerned that emergency vehicles will be inevitably delayed and this could have serious consequences both from the ambulance and fire service point of view. Oxygen is stored at the property which increases the fire risk and she performs haemodialysis for her daughter and the availability of emergency ambulance back-up gives her peace of mind. Additionally, she is required to make several journeys a month to take her daughter to hospital appointments spread across 4 different hospitals, for which, of course, she cannot be late.

Your Petitioner objects to the two viaducts and an embankment with maximum heights of 26 metres on the proposed line in the area of Dunsmore, south of Wendover. The line would be visible from numerous viewpoints around Dunsmore and from your Petitioner’s own property. Your Petitioner objects to the location of balancing ponds and feeder stations in the Chiltern AONB as these once again will drastically alter the unique character of the area and have a visual impact upon her view. She is very concerned that HS2 Ltd has made no offer of visual amelioration or sound protection to the south of Wendover other than by way of visually intrusive 6m high sound barriers at the southern entrance to Wendover which will cause additional blight to this AONB. It shows a complete disregard to the area’s so called protected status.

Your Petitioner loves the Chiltern AONB in which she lives and derives great pleasure from its beauty and tranquillity. She spends her leisure time regularly walking the footpaths and tending her garden whilst enjoying the peace. She is most concerned that the unique and irreplaceable Chiltern AONB will be scarred and lost to all those who currently enjoy this oasis of calm and denied to future generations. It is heart-breaking to think that this irreversible damage may occur on the basis of a flawed business case.

The Petitioner proposes that a fully bored tunnel through the whole of the AONB, rather than just the Southern section, is necessary to mitigate the effect of HS2 on the Chilterns AONB. It is neither enough nor fair that only the Southern section is protected in this way. The Northern section needs to be tunnelled too.

Failing a fully bored tunnel, an enclosed structure similar to the Arup concept enclosure should be agreed for the 2 viaducts, embankment, Wendover Dene and Smalldean to ensure sound and sight of the line is hidden from the specific, special area.

The Compensation scheme should be made fair and fit for purpose so that householders such as herself, who will suffer significant financial loss as a direct result of HS2 despite being
outside the existing determined compensation area, should be adequately recompenced so they can move on with their lives and plan for their and their dependents future.

3. The prayer

The petitioner therefore asks the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Signed

13th April 2016
To the House of Lords  
Session 2015–16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF  

David Havard  

Declares that:  

1. The Petitioner is specially and directly adversely affected by the whole Bill.  

2. Your petitioner  

The Petitioner is a resident of Dunsmore, Wendover Parish, being part of the Chilterns Area of Outstanding Natural Beauty (AONB). He will be specially and directly affected by the Bill for the proposed HS2 line both during construction and after completion.  

The Petitioner is injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.  

Your petitioner’s concerns.  

As someone regularly using the facilities and amenities of Wendover, your Petitioner is worried that the detrimental effect of HS2 both during construction and operation will adversely affect the local economy and community, causing loss of the valued shops, services and amenities used regularly by the Petitioner, thus causing him considerable inconvenience. He is also concerned that the ambiance and enjoyment of the village will be lost to him as a result of the visual impact of the viaduct, green tunnel and the extensive 6m high noise mitigation barrier scheme.  

Your petitioner is a joint freehold owner of Springfield and has lived in Dunsmore since 1988. Dunsmore is the highest settlement in The Chilterns Area of Outstanding Natural Beauty (AONB) located some 800ft above sea level. Dunsmore experiences high levels of tranquility and exceptionally low levels of light pollution. Springfield overlooks across the valley and will have totally unobstructed views of the proposed line immediately South of Wendover. Your petitioner paid a premium for this property in view of the above stated attributes.
The outstanding feature of your Petitioner's home is its aspect and it is highly unlikely that he could realize its pre-blight value in the event that it becomes necessary to sell the property. Your Petitioner and his wife had planned to down-size to a smaller and easier to maintain property within the next 7-10 years but has been told by a local estate agent that, unless the house is marketed and sold before construction commences, it is highly unlikely that a buyer could be found as it will be seriously affected by the work itself and from the positioning of a construction camp on the opposite hillside at eye level from his property. This construction camp is likely to be lit 24 hours a day causing light pollution for the duration of the construction period. Much of your Petitioner's assets are tied up within the family home and loss of its value will adversely affect his ability to provide for the future of his daughter who will never be able to support herself financially. This is a cause of significant stress and worry.

Your petitioner's daughter has significant complex medical conditions. His wife is her main carer but, on his retirement, he now assists with the many journeys to and fro Wendover & Great Missenden to collect feeds and medication for his daughter. He attends regular hospital appointments both in Harefield and Oxford. The serious disruption of traffic and substantial delays caused by the daily addition of 300 HGV's envisaged by HS2 Ltd using the A413 and the B4009 will impact on these regular and frequent journeys. He is also concerned that emergency vehicles will be inevitably delayed. Oxygen is stored at the property which increases the fire risk and his daughter has haemo dialysis at home and he feels access to emergency ambulance services are important for his daughter's safety and his peace of mind. Additionally, he takes his daughter to and fro her day college in Flackwell Heath during the rush hour so will be unavoidably impacted by the increased traffic.

Your Petitioner objects to the two viaducts and an embankment with maximum heights of 26 metres on the proposed line in the area of Dunsmore, south of Wendover. The line would be visible from numerous viewpoints around Dunsmore and from your Petitioner's own property. Your Petitioner objects to the location of balancing ponds and feeder stations in the Chiltern AONB as these once again will drastically alter the unique character of the area and have a visual impact upon his view. He is very concerned that HS2 Ltd has made no offer of visual amelioration or sound protection to the south of Wendover other than by way of visually intrusive 6m high sound barriers which will cause additional blight to this AONB. It shows a complete disregard to the area's so called protected status.

Your petitioner has enjoyed walking through the AONB and now on his retirement was looking forward to increased enjoyment of the area in which he lives and is disappointed to realise that this leisure activity will be blighted for years to come.

The petitioner proposes that a fully bored tunnel through the whole of the AONB, rather than just the Southern section, is necessary to mitigate the effect of HS2 on the Chilterns AONB. It is neither enough nor fair that only the Southern section is protected in this way. The Northern section needs to be tunnelled too.

Failing a fully bored tunnel, an enclosed structure similar to the Arup concept enclosure should be agreed for the 2 viaducts, embankment, Wendover Dene and Smalldean to ensure sound and sight of the line is hidden from the specific, special area.

The Compensation scheme should be made fair and fit for purpose so that householders such as himself, who will suffer significant financial loss as a direct result of HS2 despite being
outside the existing determined compensation area, should be adequately recompenced so they can move on with their lives and plan for their and their dependents future.

3. The prayer

The petitioner therefore asks the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Signed

13th April 2016
To the House of Lords  
Session 2015–16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF  
Gareth Pring  

Declares that:  

1. The Petitioner is specially and directly adversely affected by the whole Bill.  

Your petitioner (hereinafter referred to as “the Petitioner”) lives at Poppies, Nash Lee Lane, Wendover, HP22 6BG, being part of the Chilterns Area of Outstanding Natural Beauty (AONB). They will be specially and directly affected by the Bill for the proposed HS2 line both during construction and after completion. He has lived in this property in Wendover for 10 years.  

The Petitioner is injuriously affected by the Bill, to which your Petitioner object for reasons, amongst others, hereinafter appearing.  

2. The Petitioner concerns regarding the proposed Small Dean Viaduct and associated embankments with noise barriers reducing during the construction phase can be summarised as:  

the adverse impact on the local road network causing delays in travelling to work and accessing emergency services; the reduction in customers and other visitors wanting to come to Wendover businesses causing local unemployment; the reduction in property values for owners seeking to realise investments in their homes; and the noise, dirt, and Public Right of Way disruption that will be generated by the works.  

3. The Petitioners concerns during the operational phase can be summarised as:  

the disruption to sleep caused by obtrusive noise generated by passing trains in late evenings and early mornings; the visual impact of the appeal of this part of the AONB; and associated impact on property values and local businesses for current and future generations.
4. The Petitioner has additional concerns about the construction of the Green Tunnel, and the associated impact on the Coombe Hill aquifer that feeds the Grand Union Canal and Weston Turville Reservoir SSSI. The key concern relates to currently undefined requirement to add reservoirs, pipelines and a pumping station to mitigate the damage caused by extensive interception of the aquifer; and the associated extension of the construction costs and timescale in the Wendover area which could be avoided by redesign.

5. The petitioner proposes that a fully bored tunnel through the AONB and running underneath the Coombe Hill aquifer would be an effective solution to all the construction and subsequent phase impacts. And that the proposed tunnel is extended beyond the end of Nash Lee Lane and towards Stoke Mandeville.

6. Since April 2010 your Petitioner has:
   • attended at least three public meetings at which HS2 representatives were present
   • attended forums and bilateral meetings with HS2 Ltd
   • responded to HS2 consultations.
   • attended and presented at the House of Commons Select Committee.

7. The Bill would authorise the construction and operation of the railway through and near Wendover. The proposed line would run within 100 metres of your Petitioner’s property.

8. Your Petitioner and his interests and property will be affected as we have verbally been told by a HS2 agent that the field behind the property will be used for storage of equipment and will be in daily use causing noise, dust, light pollution and distraction. Access is proposed to be via Nash Lee Lane via the demolition of one of the properties HS2 Ltd now own. This will also impact on the general use of the Lane for our own property access. We wait to be informed of this change of proposal.


10. Your Petitioner has been the recipient of letters and information in the post from HS2 Ltd, which indicate that it considers that she is affected by the Bill.

11. Your Petitioner will derive no benefit of any kind whatsoever from HS2, and accordingly will suffer twice, firstly as taxpayers having to fund it, and secondly by being subject to the disruption caused by construction and the permanent blight and nuisance caused by operation.
12. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken in and near Wendover between Little Missenden and Stoke Mandeville. These works consist mainly of an embankment between Hartley Farm and Road Barn Farm; Small Dean viaduct; and an embankment between the northern end of the Small Dean viaduct and the southern end of the Wendover green tunnel. They include ancillary works such as satellite compounds, auto-transformer stations, balancing ponds and portal buildings.

13. Your Petitioner's main objective is to persuade your Honourable House to lower the line into a fully-bored tunnel as it passes through the whole of the Chilterns Area of Outstanding Natural Beauty (AONB) and to extend beyond the end of Nash Lee Lane and the Chilterns Area of Outstanding Natural Beauty (AONB) boundary towards Stoke Mandeville.

Problems caused by the construction process of the scheduled works
14. Your Petitioner avers that during construction of the scheduled works there would be the following effects:

15. Noise from machines digging the green tunnel, moving spoil, constructing embankments and viaducts and traffic connected with that, leading to the inability of your Petitioner to concentrate during the day, and inability to sleep at night. In particular, the projected night-time noise will be substantially above the World Health Organisation guidelines. The noise projections given out by HS2 Ltd. have been of average noise, rather than maximum noise, which has the greatest and most harmful effect. Further, the Department for Transport has incorrectly used targets for upgraded existing lines rather than the proper target for new projects. Noise from the proposed 24 hour construction site opposite her house, which may now be behind his house. See 8 above.

16. Vibration from the construction work causing damage to the Petitioners property which was built in 1930 with limited foundations.

17. Light over the construction area causing light pollution. Your Petitioner lives in an area where there is no artificial lighting, so this incursion of light would be very noticeable.

18. Disruption of traffic and substantial delays along all local roads, caused by around 300 HGVs per day, especially the A413 and the B4009, which your Petitioner uses every day.

19. A serious strain on local community services such as the Wendover Health Centre, to which your Petitioner is a regular visitor, and the police, caused by an influx of construction workers.

20. Dust caused by chalk and soil from construction and excavation, leading to dust within the house and around the garden area. On storage chalk dries out, creating dust.
21. Substantial damage to this part of the Chilterns AONB with its exceptional natural beauty and legally protected landscape which is frequently enjoyed by your Petitioner, for example by the visual intrusion of the construction works. Further to this, the disruption to around 14 public footpaths and bridleways, including the famous Chiltern Way and Aylesbury Ring, and others such as the South Bucks Way, Icknield Way, Ridgeway Trail and Chiltern Link, which your Petitioner uses and enjoys on a regular basis.

22. Substantial damage to the local cultural heritage, including the listed St Mary's Church, which your Petitioner uses for both religious and cultural purposes. In particular, the noise from the Small Dean embankment will render it unusable for concerts, lectures, weddings, baptisms and funerals both during construction and subsequent operation of the line.

23. Disruption to power supplies caused by the need to move the electricity pylons near the line.

24. The effect on the value of your Petitioner's property, which has already suffered blight for over six years, and will continue to do so throughout construction and afterwards.

25. Disruption to footpaths, which your Petitioner uses on a regular basis in the Nash Lee Lane area particularly WEN/4A/1, WEN/4/2, ELL/20/1, ELL/25/1, SMA/5/1, SMA/6/1, ELL/24/1 see Landscape Character Areas and Viewpoints map LV-11-20 dated 19/04/13.

Problems caused by the completion works and the operation of HS2

26. Your Petitioner avers that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects:

27. The operational noise of the completed railway, with trains passing every 2 minutes, is an unknown factor but due to the prevailing winds and the proximity of Nash Lee Lane to the green tunnel portal, noise is a very real and worrying possibility and would cause an intolerable strain upon the lives and affect the sleep of your Petitioner. Nash Lee Lane is in an area which at present is one of peaceful tranquillity. At the distance from the line where she lives the noise would be intolerable causing conversation to cease.

28. Vibration from the construction work and the passing of the trains causing damage to the Petitioners property which was built in 1930 with limited foundations.

29. The value of your Petitioner's house has already been adversely affected, and suffered blight for over four years and will continue to be so on a permanent basis.
30. Your Petitioner’s view of the Chiltern Hills would also be permanently damaged by trains up to 400 metres long passing every two minutes. The line would be visible from numerous viewpoints in the locality including his own property which is within the Zone of Theoretical Visibility. It would be overbearing and dominant in the landscape.

31. The damage to local facilities would be substantial, both those of value to your Petitioner such as St Mary’s Church for its community uses, and those of value to Wendover as a community such as the cricket ground, which would be destroyed.

32. With no proper hydrological survey having been carried out by HS2 Ltd., your Petitioner is concerned that the operation of HS2 will have a serious effect on the springs and aquifers that exist in Wendover, with potential risk to the quality of the drinking water. This is a very serious concern and further hydrological investigations are needed to determine if the current route is feasible for this reason.

**The benefits of a fully-bored tunnel**

33. Your Petitioner proposes that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the beyond the end of the AONB to the north of Wendover closer to Stoke Mandeville. This would avoid most of the disadvantages set out in paragraphs 14-25 above and most of the disadvantages set out in paragraphs 27-32 above. Having the proposed fully-bored tunnel move towards Stoke Mandeville would reduce the noise problem for those houses around the Nash Lee Lane and Nash Lee Road area.

34. Chiltern Ridges Action Group (CRAG) and Chiltern district council (CDC) have proposed such a fully bored tunnel in a report by Peter Brett Associates, and HS2 Ltd has confirmed that from an engineering and construction point of view it is feasible. Your Petitioner proposes it is extended towards Stoke Mandeville and does not stop at Nash Lee Lane.

35. So far HS2 Ltd. has refused to seriously consider a fully bored tunnel. Moreover, HS2 Ltd. has not taken into account the value of the many benefits, both market and non-market, which a fully-bored tunnel would bring, such as the money saved by not having to compulsorily purchase properties and land, or compensate for blight, or move electricity pylons; by reducing the adverse health impacts on the community; by having a lesser impact on local businesses and tourism; and by not damaging the AONB, which is a legally protected landscape of national importance. These benefits are valued at over £500 million.

36. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended by the inclusion of a fully-bored tunnel from Little Missenden to beyond the end of the AONB to the north of Wendover, then the Bill should not be allowed to pass into law.
Mitigation for construction of a fully-bored tunnel

37. If a fully-bored tunnel is included in the Bill, your Petitioner proposes that at least the following mitigation be adopted for its construction:

38. That the operation of construction traffic on the A413 and the B4009 only be permitted during the agreed working hours, excluding rush hour (7-9am and 5-7pm) on weekdays.

39. That the number of construction vehicles using local roads be limited, and at all times be such as not to inconvenience other road users.

40. That a traffic management plan be agreed before construction starts with the local county, district and parish councils, such plan to go to arbitration if agreement cannot be reached.

41. That the permitted working hours for all matters relating to construction be strictly limited to 8am to 6pm on weekdays, 8am to 1pm on Saturdays and not at all on Sundays, with an hour before and after for start-up and close down.

42. That acceptable noise levels be agreed before construction starts with the local county, district and parish councils, such noise levels to go to arbitration if agreement cannot be reached.

43. That noise levels be monitored on a frequent and regular basis by an independent organisation, with the result of such monitoring be immediately made public.

44. That artificial lighting at construction areas be limited to working hours.

45. That a full hydrological survey be carried out to determine if the current route is viable or whether it should be moved to a more suitable location.

46. That the maximum level of toxic traffic emissions from construction traffic be agreed before construction starts with the local county, district and parish councils, such emission level to go to arbitration if agreement cannot be reached.

45. That funding be made available to Wendover Health Centre and local hospitals for the provision of any necessary additional facilities to cope with increased health problems, such as sleep disturbance, respiratory illness and hypertension, and including those caused by traffic emissions and dust created by the construction of the scheduled works.

46. That funding be made available to the local police force for increased staffing likely to be required due to the advent of a substantial construction workforce.
47. That full compensation for damage to property or loss in property value caused by construction of the scheduled works and subsequent operation of the line be available to all those who suffer such loss.

48. That the maintenance loop at present proposed to be located to the north of Wendover be moved to an area where there are much larger permanent works scheduled.

49. That the Code of Construction Practice, and regulations and agreements dealing with all the above matters in paragraphs 38 to 48, be legally enforceable both at criminal and civil law, with civil law breaches being first dealt with by an Ombudsman, and the local county council having the right to bring both criminal and civil proceedings.

**Mitigation for construction of the present proposal**

50. However, if the proposal for a fully-bored tunnel is rejected your Petitioner proposes the following mitigation:

51. That the existing proposed Wendover green tunnel be extended to the south to meet the northern end of the Small Dean viaduct, and to the north to take the portal further from the edge of the town and Nash Lee Road / Nash Lee Lane.

52. That the Small Dean viaduct and embankment be of high quality infrastructure to be made as visually pleasing as possible, with enclosures and with the maximum use of noise barriers on both sides to minimise the damage to nearby countryside and St Mary’s Church.

53. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow quickly to at least forty feet high, in order to conceal the line from view at the earliest possible time so that your Petitioner can attempt continued enjoyment of the surrounding area.

54. That the mitigation proposed in paragraphs 38 to 48 and 51 to 53 above be adopted.

**Mitigation for the operation of the line**

55. If the line does go ahead, the following mitigation is proposed for the operation of the train:

56. That the speed of the trains be reduced as per the recommendation of the House of Commons Environmental Audit Select Committee Report, in order to minimise the potential audible impact on your Petitioner.

57. That there be a legally enforceable noise limit covering your Petitioner’s street and surrounding area with substantial penalties for breach.
58. That full compensation for loss in property value caused by construction of the scheduled works and subsequent operation of the line be available to your Petitioner in light of the very close proximity of Nash Lee Lane.

59. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow quickly to at least forty feet high, in order to conceal the line from view at the earliest possible time so that your Petitioner can attempt continued enjoyment of the surrounding area.

60. That, based on the example of HS1, a Community Fund of at least £25 million be established for the benefit of Wendover, which would not benefit from HS2 in any way whatsoever.

The prayer

The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

Signed
16 April 2016

Gareth Penny
Poppies
Nash Lee Lane
Wendover
MP 22 6BG
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Geoffrey Richard Toull

Declares that:

The Petitioner is specially and directly adversely affected by the whole Bill.

Your petitioner

Lives in Wendover Parish, being part of the Chilterns Area of Outstanding Natural Beauty. Your petitioner (hereinafter referred to as "the Petitioner") lives at 14 Cavendish Close, Wendover, Buckinghamshire, HP22 6LZ. He has lived in this property in Wendover for approaching fourteen and a half years. He is 84 years of age. Your Petitioner has been the recipient of letters and information in the post and by email from HS2 Ltd, which indicate that it considers that he is affected by the Bill.

The Petitioner is injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing. Both during construction and operation of HS2. Your Petitioner's main objective is to persuade your Lordships to lower the line into a fully-bored tunnel as it passes through Wendover.

Your petitioner's concerns:-

1. The Bill would authorise the construction and operation of the railway through and near Wendover. The proposed line would run within 460 metres of your Petitioner's property.

2. Your Petitioner's property is shown in the Zone of Theoretical Visibility in LV-07- 037, and in map CT- 06-038.

3. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken in and near Wendover between Little Missenden and Stoke Mandeville. These works consist mainly of an embankment between Hartley Farm and Road Bam Farm; Small Dean viaduct; and an embankment between the northern end of the Small Dean viaduct and the southern end of the Wendover green tunnel.
They include ancillary works such as satellite compounds, auto-transformer stations, balancing ponds and portal buildings.

4. To persuade your Honourable House that authority to approve minimum water quality standards in the Wendover catchment area remain with the Secretary of State for Environment, Food and Rural Affairs (DEFRA), thereby avoiding any conflict of interest that could arise if such authority were to be transferred to the Department for Transport.

5. To persuade your Honourable House to require practical field-based examinations of the effect and spread of travelling ground bow-waves on physical structures.

6. Your Petitioner avers that during construction of the scheduled works there would be the following effects:

7. Disruption of traffic and substantial delays along all local roads, caused by around 300 HGVs per day, especially along the A413 and the B4009, which your Petitioner's family uses every day, and the A41, which they uses on a regular basis.

8. A serious strain on local community services such as the Wendover Health Centre, to which your Petitioner is a regular visitor, and the police, caused by an influx of construction workers.

9. Dust caused by chalk and soil from construction and excavation, leading to the exacerbation of your Petitioner's personal respiratory problems. On storage, chalk dries to a powder consistency, creating dust, the effect of which will be made worse by the prevailing south-west Wind, which blows directly across your Petitioner's property, 14 Cavendish Close, and could make it, and properties elsewhere throughout Wendover, uninhabitable on health and safety grounds.

10. Substantial damage to this part of the Chilterns Area of Outstanding Natural Beauty (AONB) with its exceptional natural beauty and its manifold flora and fauna.

11. Substantial damage to the local heritage from which I benefit, including St Mary's Church, Wendover, which your Petitioner visits for cultural occasions.

12. Disruption to power supplies caused by the need to move and re-erect the electricity pylons near the proposed railway line.

13. Noise from machines digging, lining, and laying track, and erecting gantries for the green tunnel, moving spoil, constructing embankments and viaducts, and traffic connected therewith, leading to your Petitioner's and other Wendover residents inability to sleep at night and inability to concentrate during the day.
14. Strong artificial illumination over the construction area causing light pollution. Your Petitioner lives in an area where artificial lighting is low-lumen from low lamp-posts. Construction-area and security compound lighting would be intense, mounted high, and would create considerable light spillage. This incursion of light would be very noticeable, disturbing, and disruptive in an area such as Cavendish Close and elsewhere.

15. The Bill proposes that authority for setting minimum water quality standards, in areas scheduled to receive HS2, including in the Wendover area, be transferred to the Secretary of State for Transport from DEFRA. Her Majesty's Government is putting considerable pressure on HS2 Ltd to contain and to reduce HS2 programme costs. Your Petitioner avers that this would axiomatically create a conflict of interest, with the possibility that water quality standards could be in jeopardy to the detriment of your Petitioner and to Wendover residents in general.

16. Your Petitioner asserts that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects:

17. Your Petitioner's view of the Chiltern Hills in the AONB would be permanently scarred by the obtrusive viaduct and embankment 42 feet (13 metres) above ground level with gantries a further 46 feet (13.5 metres) high. The line would be visible from numerous viewpoints in the locality including your Petitioner's own property which is within the Zone of Theoretical Visibility. It would be overbearing, would dominate the landscape, and be wholly out of keeping in the Green Belt and its Chilterns AONB.

18. Your Petitioner's view of the Chiltern Hills would also be permanently damaged by 225-250 mph trains, up to 400 metres long passing every two minutes, and for running for lengths on raised viaducts.

19. The noise from these trains will cause an intolerable and debilitating strain upon your Petitioner's life and affect his nerves and his sleep. At the distance from the line where he lives the noise would be spread over a longer time-period, and thus be heard for approximately one minute in every two throughout the 24 hour day. This is in an area which is at present one of peaceful tranquility, and it also raises Health and Safety legislation issues.

20. The rail industry has no experience in the design and operation of trains running at 225-250 mph, hence there are many unknowns as yet. One such is the ground-effect travelling bow wave: its power, its spread, its rate of attenuation with time, and with increasing distance from the train, and the possible destructive effects as train succeeds train every two minutes - all unknowns. The adverse effects could be both on structures and on human health. Thus the effects could cause long-term damage to
your Petitioner's home, and to his person. Such effects reduce, and are understood and catered for, for current 180 mph trains.

21. Because of the potential severity of this phenomenon on your Petitioner's and fellow villagers' wellbeing, and on their properties, your Petitioner proposes that your Honourable House require as a precondition for project initiation, practical studies and representative field assessments of ground-effect travelling bow wave effects in terms of the above parameters.

22. The value of your Petitioner's house has already been adversely affected, and will continue to be so, on a permanent basis.

23. The damage to local facilities would be substantial, both those of personal value to your Petitioner such as St Mary's Church for its community uses, to the village cricket ground, which would be destroyed, and the village centre, which helps sustain the village as a community.

24. The benefits of a fully-bored tunnel be fully explored by an independent panel to compare the costings with the current proposal. The need for independence is paramount.

25. Your Petitioner proposes that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover. This would avoid most of the disadvantages set out in paragraphs 14-23 above and all the disadvantages set out in paragraphs 25-30 above. And, with respect to paragraph 27, in a fully-bored tunnel, it being that much deeper in the ground than a "green tunnel", the intensity of the high-speed trains travelling ground bow-wave would attenuate in amplitude and distance more rapidly than for a green tunnel - thus reducing programme and financial risk, and risk to your Petitioner's and fellow villagers' properties and their well being.

26. Chiltern Ridges Action Group has proposed such a fully-bored tunnel in a report by Peter Brett Associates, and HS2 Ltd has confirmed that from an engineering and construction point of view it is feasible.

27. HS2 Ltd has said that such a tunnel would cost £330 million more than the present proposal. However, it has refused to divulge any detail of this figure, or even the tender documents on which it was based, and there is considerable evidence that the figure claimed by HS2 Ltd is seriously exaggerated.

28. Moreover, and fundamentally, it appears that HS2 Ltd has not taken into account the value of the financial benefits which a fully-bored tunnel would bring the taxpayer, such as the money saved by not having to compulsorily purchase properties and land, or move electricity pylons, and not damaging the environment, and reducing the risks and costs inherent in bow-wave effect damage (see paragraphs 29 and 32). Excluding bow-
wave damage mitigation, these benefits are valued at over £500 million, and more when reduced remedial costs are included.

29. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended by the inclusion of a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover, then the Bill should not be allowed to pass into law.

30. Mitigation for construction of a fully-bored tunnel

31. If a fully-bored tunnel is included in the Bill, your Petitioner proposes that at least the following mitigation be adopted for its construction:

32. That the operation of construction traffic on the A413 and the B4009 be permitted only during the agreed working hours, and exclude rush hours (7-9am and 5-7pm) on weekdays.

33. That the number of construction vehicles using local roads each day, and per week, be limited in time and in separation distance, consistent with health and safety legislation in the interests of other road users, and at all times be such as not to inconvenience or delay such other users. That construction vehicle counting be instituted at the outset and that the local council, on behalf of Wendover residents, including your Petitioner, be empowered to obtain specified redress whenever the agreed maximums are exceeded.

35. That the spoil removed by vehicles be at all times be covered securely to prevent any of the contents spilling, or creating polluting dust. And that the removed spoil should not be permitted to be dumped in the Chilterns AONB, and that all spoil should be removed by rail, not road.

36. That a traffic management plan be agreed before construction starts with the local county, district and parish councils, such plan to go to arbitration if agreement cannot be reached and the resulting plan be enforced once in place.

37. That the permitted working hours for all matters relating to construction be enforced and limited strictly to 8am to 6pm on weekdays, 8am to 1pm on Saturdays and not at all on Sundays, with an half an hour before and after for start-up and close down.

38. That maximum acceptable noise levels be agreed with the local county, district and parish councils before construction starts; such noise levels to go to arbitration if agreement cannot be reached.

39. That noise levels be monitored on a frequent and regular basis by an independent organisation, with the result of such monitoring be immediately made public, and enforceable redress obtained.
40. That artificial lighting illuminating construction areas be limited to working hours and that the lighting pitch and intensity be such as to minimise any light spillage and nuisance to a level agreed with the Wendover Parish Council and Aylesbury Vale District Council acting on behalf of your Petitioner and fellow residents.

41. That the maximum level of toxic, and of visibility-reducing, emissions from construction vehicles and from plant be agreed with the local county, district and parish councils before construction starts, such emission level to go to arbitration if agreement cannot be reached. And that levels be monitored and remedy obtained when the levels agreed exceed the maximums negotiated.

42. That funding be made available to Wendover Health Centre and local hospitals for the provision of any necessary additional facilities to cope with increased health problems, such as sleep disturbance, respiratory illness and hypertension, and including those caused by traffic emissions and dust created by the construction of the scheduled works.

43. That funding be made available to the local police force for increased staffing likely to be required due to the advent of a substantial construction workforce.

44. That full compensation for damage to property or loss in property value caused by construction of the scheduled works be available to all those who suffer such loss. Your Petitioner considers that the arrangements set out in the Bill are seriously inadequate.

45. That the maintenance loop at present proposed to be located to the north of Wendover be moved to an area where there are much larger permanent works scheduled.

46. That the Code of Construction Practice, and regulations and agreements dealing with all the above matters in paragraphs 36 to 49, be legally enforceable both at criminal and civil law, with civil law breaches being first dealt with by an Ombudsman, and the local county council having the right to bring both criminal and civil proceedings.

The Petitioners concerns during the construction phase can be summarised as:

the adverse impact on the local road network causing delays in travelling to work and accessing emergency services; the reduction in customers and other visitors wanting to come to Wendover businesses causing local unemployment; the reduction in property values for owners seeking to realise investments in their homes; and the noise, dirt, and Public Right of Way disruption that will be generated by the works.
The Petitioners concerns during the operational phase can be summarised as:

the disruption to sleep caused by obtrusive noise generated by passing trains in late evenings and early mornings; the visual impact of the proposed Small Dean Viaduct and associated embankments with noise barriers reducing the appeal of this part of the AONB; and associated impact on property values and local businesses for current and future generations.

The Petitioner has additional concerns about the construction of the Green Tunnel, and the associated impact on the Coombe Hill aquifer that feeds the Grand Union Canal and Weston Turville Reservoir SSSI. The key concern relates to currently undefined requirement to add reservoirs, pipelines and a pumping station to mitigate the damage caused by extensive interception of the aquifer; and the associated extension of the construction costs and timescale in the Wendover area which could be avoided by redesign.

The petitioner proposes that a fully bored tunnel through the AONB and running underneath the Coombe Hill aquifer would be an effective solution to all the construction and subsequent phase impacts.

The petitioner therefore asks the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc

Signed

Dated 16-04-16
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF  
SHERRILYN JONES

Declares that:

1. The Petitioner is specially and directly adversely affected by the whole Bill.

Your petitioner (hereinafter referred to as “the Petitioner”) lives at Oaklyn, Nash Lee Lane, Wendover, HP22 6BG, being part of the Chilterns Area of Outstanding Natural Beauty (AONB). They will be specially and directly affected by the Bill for the proposed HS2 line both during construction and after completion. She has lived in this property in Wendover for 20 years.

The Petitioner is injuriously affected by the Bill, to which your Petitioner object for reasons, amongst others, hereinafter appearing.

2. The Petitioner concerns regarding the proposed Small Dean Viaduct and associated embankments with noise barriers reducing during the construction phase can be summarised as:

the adverse impact on the local road network causing delays in travelling to work and accessing emergency services; the reduction in customers and other visitors wanting to come to Wendover businesses causing local unemployment; the reduction in property values for owners seeking to realise investments in their homes; and the noise, dirt, and Public Right of Way disruption that will be generated by the works.

3. The Petitioners concerns during the operational phase can be summarised as:

the disruption to sleep caused by obtrusive noise generated by passing trains in late evenings and early mornings; the visual impact of the appeal of this part of the AONB; and associated impact on property values and local businesses for current and future generations.
4. The Petitioner has additional concerns about the construction of the Green Tunnel, and the associated impact on the Coombe Hill aquifer that feeds the Grand Union Canal and Weston Turville Reservoir SSSI. The key concern relates to currently undefined requirement to add reservoirs, pipelines and a pumping station to mitigate the damage caused by extensive interception of the aquifer; and the associated extension of the construction costs and timescale in the Wendover area which could be avoided by redesign.

5. The petitioner proposes that a fully bored tunnel through the AONB and running underneath the Coombe Hill aquifer would be an effective solution to all the construction and subsequent phase impacts. And that the proposed tunnel is extended beyond the end of Nash Lee Lane and towards Stoke Mandeville.

6. Since April 2010 your Petitioner has:
   • attended at least three public meetings at which HS2 representatives were present
   • attended forums and bilateral meetings with HS2 Ltd
   • responded to HS2 consultations.
   • attended and presented at the House of Commons Select Committee.

7. The Bill would authorise the construction and operation of the railway through and near Wendover. The proposed line would run within 100 metres of your Petitioner’s property.

8. Your Petitioner and her interests and property will be affected as we have verbally been told by a HS2 agent that the field behind the property will be used for storage of equipment and will be in daily use causing noise, dust, light pollution and distraction. Access is proposed to be via Nash Lee Lane via the demolition of one of the properties HS2 Ltd now own. This will also impact on the general use of the Lane for our own property access. We wait to be informed of this change of proposal.


10. Your Petitioner has been the recipient of letters and information in the post from HS2 Ltd, which indicate that it considers that she is affected by the Bill.

11. Your Petitioner will derive no benefit of any kind whatsoever from HS2, and accordingly will suffer twice, firstly as taxpayers having to fund it, and secondly by being subject to the disruption caused by construction and the permanent blight and nuisance caused by operation.
12. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken in and near Wendover between Little Missenden and Stoke Mandeville. These works consist mainly of an embankment between Hartley Farm and Road Barn Farm; Small Dean viaduct; and an embankment between the northern end of the Small Dean viaduct and the southern end of the Wendover green tunnel. They include ancillary works such as satellite compounds, auto-transformer stations, balancing ponds and portal buildings.

13. Your Petitioner's main objective is to persuade your Honourable House to lower the line into a fully-bored tunnel as it passes through the whole of the Chilterns Area of Outstanding Natural Beauty (AONB) and to extend beyond the end of Nash Lee Lane and the Chilterns Area of Outstanding Natural Beauty (AONB) boundary towards Stoke Mandeville.

Problems caused by the construction process of the scheduled works

14. Your Petitioner avers that during construction of the scheduled works there would be the following effects:

15. Noise from machines digging the green tunnel, moving spoil, constructing embankments and viaducts and traffic connected with that, leading to the inability of your Petitioner to concentrate during the day, and inability to sleep at night. In particular, the projected night-time noise will be substantially above the World Health Organisation guidelines. The noise projections given out by HS2 Ltd. have been of average noise, rather than maximum noise, which has the greatest and most harmful effect. Further, the Department for Transport has incorrectly used targets for upgraded existing lines rather than the proper target for new projects. Noise from the proposed 24 hour construction site opposite her house, which may now be behind her house. See 8 above.

16. Vibration from the construction work causing damage to the Petitioners property which was built in 1930 with limited foundations.

17. Light over the construction area causing light pollution. Your Petitioner lives in an area where there is no artificial lighting, so this incursion of light would be very noticeable.

18. Disruption of traffic and substantial delays along all local roads, caused by around 300 HGVs per day, especially the A413 and the B4009, which your Petitioner uses every day.

19. A serious strain on local community services such as the Wendover Health Centre, to which your Petitioner is a regular visitor, and the police, caused by an influx of construction workers.

20. Dust caused by chalk and soil from construction and excavation, leading to dust within the house and around the garden area. On storage chalk dries out, creating dust.
21. Substantial damage to this part of the Chilterns AONB with its exceptional natural beauty and legally protected landscape which is frequently enjoyed by your Petitioner, for example by the visual intrusion of the construction works. Further to this, the disruption to around 14 public footpaths and bridleways, including the famous Chiltern Way and Aylesbury Ring, and others such as the South Bucks Way, Icknield Way, Ridgeway Trail and Chiltern Link, which your Petitioner uses and enjoys on a regular basis.

22. Substantial damage to the local cultural heritage, including the listed St Mary’s Church, which your Petitioner uses for both religious and cultural purposes. In particular, the noise from the Small Dean embankment will render it unusable for concerts, lectures, weddings, baptisms and funerals both during construction and subsequent operation of the line.

23. Disruption to power supplies caused by the need to move the electricity pylons near the line.

24. The effect on the value of your Petitioner’s property, which has already suffered blight for over six years, and will continue to do so throughout construction and afterwards.

25. Disruption to footpaths, which your Petitioner uses on a regular basis in the Nash Lee Lane area particularly WEN/4A/1, WEN/4/2, ELL/20/1, ELL/25/1, SMA/5/1, SMA/6/1, ELL/24/1 see Landscape Character Areas and Viewpoints map LV-11-20 dated 19/04/13.

Problems caused by the completion works and the operation of HS2

26. Your Petitioner avers that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects:

27. The operational noise of the completed railway, with trains passing every 2 minutes, is an unknown factor but due to the prevailing winds and the proximity of Nash Lee Lane to the green tunnel portal, noise is a very real and worrying possibility and would cause an intolerable strain upon the lives and affect the sleep of your Petitioner. Nash Lee Lane is in an area which at present is one of peaceful tranquillity. At the distance from the line where she lives the noise would be intolerable causing conversation to cease.

28. Vibration from the construction work and the passing of the trains causing damage to the Petitioners property which was built in 1930 with limited foundations.

29. The value of your Petitioner’s house has already been adversely affected, and suffered blight for over four years and will continue to be so on a permanent basis.
30. Your Petitioner’s view of the Chiltern Hills would also be permanently damaged by trains up to 400 metres long passing every two minutes. The line would be visible from numerous viewpoints in the locality including her own property which is within the Zone of Theoretical Visibility. It would be overbearing and dominant in the landscape.

31. The damage to local facilities would be substantial, both those of value to your Petitioner such as St Mary’s Church for its community uses, and those of value to Wendover as a community such as the cricket ground, which would be destroyed.

32. With no proper hydrological survey having been carried out by HS2 Ltd., your Petitioner is concerned that the operation of HS2 will have a serious effect on the springs and aquifers that exist in Wendover, with potential risk to the quality of the drinking water. This is a very serious concern and further hydrological investigations are needed to determine if the current route is feasible for this reason.

The benefits of a fully-bored tunnel
33. Your Petitioner proposes that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the beyond the end of the AONB to the north of Wendover closer to Stoke Mandeville. This would avoid most of the disadvantages set out in paragraphs 14-25 above and most of the disadvantages set out in paragraphs 27-32 above. Having the proposed fully-bored tunnel move towards Stoke Mandeville would reduce the noise problem for those houses around the Nash Lee Lane and Nash Lee Road area.

34. Chiltern Ridges Action Group (CRAG) and Chiltern district council (CDC) have proposed such a fully bored tunnel in a reports by Peter Brett Associates, and HS2 Ltd has confirmed that from an engineering and construction point of view it is feasible. Your Petitioner proposes it is extended towards Stoke Mandeville and does not stop at Nash Lee Lane.

35. So far HS2 Ltd. has refused to seriously consider a fully bored tunnel. Moreover, HS2 Ltd. has not taken into account the value of the many benefits, both market and non-market, which a fully-bored tunnel would bring, such as the money saved by not having to compulsorily purchase properties and land, or compensate for blight, or move electricity pylons; by reducing the adverse health impacts on the community; by having a lesser impact on local businesses and tourism; and by not damaging the AONB, which is a legally protected landscape of national importance. These benefits are valued at over £500 million.

36. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended by the inclusion of a fully-bored tunnel from Little Missenden to beyond the end of the AONB to the north of Wendover, then the Bill should not be allowed to pass into law.
Mitigation for construction of a fully-bored tunnel

37. If a fully-bored tunnel is included in the Bill, your Petitioner proposes that at least the following mitigation be adopted for its construction:

38. That the operation of construction traffic on the A413 and the B4009 only be permitted during the agreed working hours, excluding rush hour (7-9am and 5-7pm) on weekdays.

39. That the number of construction vehicles using local roads be limited, and at all times be such as not to inconvenience other road users.

40. That a traffic management plan be agreed before construction starts with the local county, district and parish councils, such plan to go to arbitration if agreement cannot be reached.

41. That the permitted working hours for all matters relating to construction be strictly limited to 8am to 6pm on weekdays, 8am to 1pm on Saturdays and not at all on Sundays, with an hour before and after for start-up and close down.

42. That acceptable noise levels be agreed before construction starts with the local county, district and parish councils, such noise levels to go to arbitration if agreement cannot be reached.

43. That noise levels be monitored on a frequent and regular basis by an independent organisation, with the result of such monitoring be immediately made public.

44. That artificial lighting at construction areas be limited to working hours.

45. That a full hydrological survey be carried out to determine if the current route is viable or whether it should be moved to a more suitable location.

46. That the maximum level of toxic traffic emissions from construction traffic be agreed before construction starts with the local county, district and parish councils, such emission level to go to arbitration if agreement cannot be reached.

45. That funding be made available to Wendover Health Centre and local hospitals for the provision of any necessary additional facilities to cope with increased health problems, such as sleep disturbance, respiratory illness and hypertension, and including those caused by traffic emissions and dust created by the construction of the scheduled works.

46. That funding be made available to the local police force for increased staffing likely to be required due to the advent of a substantial construction workforce.
47. That full compensation for damage to property or loss in property value caused by construction of the scheduled works and subsequent operation of the line be available to all those who suffer such loss.

48. That the maintenance loop at present proposed to be located to the north of Wendover be moved to an area where there are much larger permanent works scheduled.

49. That the Code of Construction Practice, and regulations and agreements dealing with all the above matters in paragraphs 38 to 48, be legally enforceable both at criminal and civil law, with civil law breaches being first dealt with by an Ombudsman, and the local county council having the right to bring both criminal and civil proceedings.

Mitigation for construction of the present proposal
50. However, if the proposal for a fully-bored tunnel is rejected your Petitioner proposes the following mitigation:

51. That the existing proposed Wendover green tunnel be extended to the south to meet the northern end of the Small Dean viaduct, and to the north to take the portal further from the edge of the town and Nash Lee Road / Nash Lee Lane.

52. That the Small Dean viaduct and embankment be of high quality infrastructure to be made as visually pleasing as possible, with enclosures and with the maximum use of noise barriers on both sides to minimise the damage to nearby countryside and St Mary's Church.

53. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow quickly to at least forty feet high, in order to conceal the line from view at the earliest possible time so that your Petitioner can attempt continued enjoyment of the surrounding area.

54. That the mitigation proposed in paragraphs 38 to 48 and 51 to 53 above be adopted.

Mitigation for the operation of the line
55. If the line does go ahead, the following mitigation is proposed for the operation of the train:

56. That the speed of the trains be reduced as per the recommendation of the House of Commons Environmental Audit Select Committee Report, in order to minimise the potential audible impact on your Petitioner.

57. That there be a legally enforceable noise limit covering your Petitioner's street and surrounding area with substantial penalties for breach.
58. That full compensation for loss in property value caused by construction of the scheduled works and subsequent operation of the line be available to your Petitioner in light of the very close proximity of Nash Lee Lane.

59. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow quickly to at least forty feet high, in order to conceal the line from view at the earliest possible time so that your Petitioner can attempt continued enjoyment of the surrounding area.

60. That, based on the example of HS1, a Community Fund of at least £25 million be established for the benefit of Wendover, which would not benefit from HS2 in any way whatsoever.

The prayer
The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

Signed

16 April 2016

S A Jones
PETITION against the

High Speed Rail (London - West Midlands) Bill

THE PETITION OF
Mr. John Alexander Wintle
6 Coombe Avenue
Wendover
Bucks
HP22 6BX

Declares that:

1. The Petitioner is specially and directly adversely affected by the whole Bill.

2. Your petitioner

The Petitioner is a resident of Wendover Parish, being part of the Chilterns Area of Outstanding Natural Beauty (AONB) and will be specially and directly affected by the Bill for the proposed HS2 line both during construction and after completion.

The Petitioner is injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

3. Your petitioner’s concerns

The Petitioner’s concerns during the construction phase can be summarised as:

- the adverse impact on the local road network causing delays in travelling to work and accessing emergency services;
- the reduction in customers and other visitors wanting to come to Wendover businesses causing local unemployment;
- the reduction in property values for owners seeking to realise investments in their homes; and
- the noise, dirt, and Public Right of Way disruption that will be generated by the works.

The Petitioner’s concerns during the operational phase can be summarised as:

- the disruption to sleep caused by obtrusive noise generated by passing trains in late evenings and early mornings;
- the visual impact of the proposed Small Dean Viaduct and associated embankments with noise barriers reducing the appeal of this part of the AONB; and
- associated impact on property values and local businesses for current and future generations.

The Petitioner has additional concerns about the construction of the Green Tunnel, and the associated impact on the Coombe Hill aquifer that feeds the Grand Union Canal and Weston...
Turville Reservoir SSSI. The key concern relates to currently undefined requirement to add reservoirs, pipelines and a pumping station to mitigate the damage caused by extensive interception of the aquifer; and the associated extension of the construction costs and timescale in the Wendover area which could be avoided by redesign.

The petitioner proposes that a fully bored tunnel through the AONB and running underneath the Coombe Hill aquifer would be an effective solution to all the construction and subsequent phase impacts.

4. The prayer

The petitioner therefore asks the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SIGNED:

Philip Alexander Wallis (Agent)

April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF
Mrs. Marjorie Wintle
6 Coombe Avenue
Wendover
Bucks
HP22 6BX

Declares that:

1. The Petitioner is specially and directly adversely affected by the whole Bill.

2. Your petitioner

The Petitioner is a resident of Wendover Parish, being part of the Chilterns Area of Outstanding Natural Beauty (AONB) and will be specially and directly affected by the Bill for the proposed HS2 line both during construction and after completion.

The Petitioner is injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

3. Your petitioner’s concerns

The Petitioner’s concerns during the construction phase can be summarised as:

the adverse impact on the local road network causing delays in travelling to work and accessing emergency services; the reduction in customers and other visitors wanting to come to Wendover businesses causing local unemployment; the reduction in property values for owners seeking to realise investments in their homes; and the noise, dirt, and Public Right of Way disruption that will be generated by the works.

The Petitioner’s concerns during the operational phase can be summarised as:

the disruption to sleep caused by obtrusive noise generated by passing trains in late evenings and early mornings; the visual impact of the proposed Small Dean Viaduct and associated embankments with noise barriers reducing the appeal of this part of the AONB; and associated impact on property values and local businesses for current and future generations.

The Petitioner has additional concerns about the construction of the Green Tunnel, and the associated impact on the Coombe Hill aquifer that feeds the Grand Union Canal and Weston
Turville Reservoir SSSI. The key concern relates to currently undefined requirement to add
reservoirs, pipelines and a pumping station to mitigate the damage caused by extensive
interception of the aquifer; and the associated extension of the construction costs and
timescale in the Wendover area which could be avoided by redesign.

The petitioner proposes that a fully bored tunnel through the AONB and running underneath
the Coombe Hill aquifer would be an effective solution to all the construction and subsequent
phase impacts.

4. The prayer

The petitioner therefore asks the House of Lords that they, or someone representing
them in accordance with the rules and Standing Orders of the House, be given an
opportunity to give evidence on all or some of the issues raised in this petition to the
Select Committee which considers this Bill.

AND the petitioner remains, etc.

SIGNED:

SIGNED:

Philip Alexander Wallis (Agent)

APRIL 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Marian Claire Wallis and Philip Alexander Wallis, of 9 Coombe Avenue, Wendover, Buckinghamshire, HP22 6BX

Declares that:

1. The Petitioners are specially and directly adversely affected by the whole Bill.

2. Your petitioner

The Petitioners are residents of Wendover Parish, being part of the Chilterns Area of Outstanding Natural Beauty (AONB) and have been for 43 years. They will be specially and directly affected by the Bill for the proposed HS2 line both during construction and after completion.

The Petitioners are injuriously affected by the Bill, to which your Petitioners object for reasons, amongst others, hereinafter appearing.

3. Your petitioner’s concerns

The Petitioners concerns during the construction phase can be summarised as:

the adverse impact due to increases in traffic on the local road network causing delays in travelling around and accessing emergency services; the reduction in customers and other visitors wanting to come to Wendover businesses causing local unemployment and loss of amenity; the reduction in the value of our property during construction as we will almost certainly be seeking to realise this our major investment within the time-frame; and the noise, dirt, and Public Right of Way disruption (we regularly walk many of the local footpaths with the dog) that will be generated by the works.

The Petitioner’s concerns during the operational phase can be summarised as:

the disruption to sleep caused by obtrusive noise generated by passing trains in late evenings and early mornings; the visual impact of the proposed Small Dean Viaduct and associated embankments with noise barriers reducing the appeal of this part of the AONB; and associated impact on property values and local businesses for current and future generations.

The Petitioners have additional concerns about the construction of the Green Tunnel, and the
associated impact on the Coombe Hill aquifer that feeds the Grand Union Canal and Weston Turville Reservoir SSSI. The key concern relates to currently undefined requirement to add reservoirs, pipelines and a pumping station to mitigate the damage caused by extensive interception of the aquifer; and the associated extension of the construction costs and timescale in the Wendover area which could be avoided by redesign now.

The petitioners propose that a fully bored tunnel through the AONB and running underneath the Coombe Hill aquifer would be an effective solution to all the construction and subsequent phase impacts. This would preserve the AONB for all future generations.

They further propose that an independent assessment be carried out of the cost of the current HS2 Ltd. proposal versus that of building a long tunnel through the Chilterns AONB.

4. The prayer

The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

SIGNED:

APRIL 2016
To the House of Lords  
Session 2015–16

PETITION against the  

High Speed Rail (London – West Midlands) Bill

THE PETITION OF

DECLARES that:

1. The Petitioners are specially and directly adversely affected by the whole Bill.

2. Your petitioner

The Petitioners are residents of Wendover Parish, being part of the Chilterns Area of Outstanding Natural Beauty (AONB). They will be specially and directly affected by the Bill for the proposed HS2 line both during construction and after completion.

The Petitioners are injuriously affected by the Bill, to which your Petitioners object for reasons, amongst others, hereinafter appearing.

3. Your petitioner’s concerns

The Petitioners concerns during the construction phase can be summarised as:

- the adverse impact on the local road network causing delays in travelling to work and accessing emergency services; the reduction in customers and other visitors wanting to come to Wendover businesses causing local unemployment; the reduction in property values for owners seeking to realise investments in their homes; and the noise, dirt, and Public Right of Way disruption that will be generated by the works.

The Petitioners concerns during the operational phase can be summarised as:

- the disruption to sleep caused by obtrusive noise generated by passing trains in late evenings and early mornings; the visual impact of the proposed Small Dean Viaduct and associated embankments with noise barriers reducing the appeal of this part of the AONB; and associated impact on property values and local businesses for current and future generations.

Petitioners have additional concerns about the construction of the Green Tunnel, and the associated impact on the Coombe Hill aquifer that feeds the Grand Union Canal and Weston Turville Reservoir SSSI. The key concern relates to currently undefined requirement to add reservoirs, pipelines and a pumping station to mitigate the damage caused by extensive
interception of the aquifer; and the associated extension of the construction costs and timescale in the Wendover area which could be avoided by redesign.

The petitioners propose that a fully bored tunnel through the AONB and running underneath the Coombe Hill aquifer would be an effective solution to all the construction and subsequent phase impacts.

4. *The prayer*

The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

*SIGNED:*

________________________

________________________

*SIGNED:*

Ronald Petersen (Agent)

April 2016
Declares that:

1. The Petitioners are specially and directly adversely affected by the whole Bill.

2. Your petitioner

The Petitioners are residents of Wendover Parish, being part of the Chilterns Area of Outstanding Natural Beauty (AONB). They will be specially and directly affected by the Bill for the proposed HS2 line both during construction and after completion.

The Petitioners are injuriously affected by the Bill, to which your Petitioners object for reasons, amongst others, hereinafter appearing.

3. Your petitioner’s concerns

The Petitioners concerns during the construction phase can be summarised as:

The adverse impact on the local road network causing delays in travelling to work and accessing emergency services; the projected reduction in the value of their home at Pcket Piece, Hale Lane, Wendover as they approach the point when they will wish to sell that home; and the noise, dirt, and Public Right of Way disruption that will be generated by the works.

The Petitioners concerns during the operational phase can be summarised as:

The visual impact of the proposed Small Dean Viaduct and associated embankments with 6-metre-high noise barriers reducing the appeal of this part of the AONB; the associated impact on property values.
Petitioners have additional concerns about the construction of the Green Tunnel, and the associated impact on the Coombe Hill aquifer that feeds the Grand Union Canal and Weston Turville Reservoir SSSI, areas that they frequently visit. The key concern relates to currently undefined requirement to add reservoirs, pipelines and a pumping station to mitigate the damage caused by extensive interception of the aquifer; and the associated extension of the construction costs and timescale in the Wendover area which could be avoided by redesign.

The petitioners propose that a fully bored tunnel through the AONB and running underneath the Coombe Hill aquifer would be an effective solution to all the construction and subsequent phase impacts. To inform that decision (in light of inconsistent and ever-changing cost estimates from the Promoter), the petitioners ask that the House of Lords instructs the Promoter to commission a wholly-independent review of (a) the full costs of the existing, above-ground solutions, including all mitigation and (b) the cost of a fully-bored tunnel through the AONB to a point north of Wendover.

4. The prayer

The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

SIGNED

Ronald J. Petersen

Lynn S. Petersen

18 April 2016
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF The Dunsmore Society

Declares that:
1. The Dunsmore Society i.e. the petitioner is specifically and directly adversely affected by the whole Bill, during construction and following completion by the proposed HS2 line.

2. Your petitioner  
The Dunsmore Society, c/o “The Outlook”, Dunsmore, Bucks. HP22 6QJ will subsequently be referred to as (Your Petitioner). Dunsmore partly lies within Wendover and partly within Ellesborough parishes, and within the Chilterns Area of Outstanding Natural Beauty (AONB)

3. Your petitioner, The Dunsmore Society, was formed in April 2007 as an environmental group wishing to preserve the beauty of the locality in and around the Dunsmore settlement. Some members are from properties on the A413 at the bottom of Dunsmore Lane, from Little London, Smalldene and of course Dunsmore. The Society has been meeting and communicating directly with the HS2 Ltd team at Bilateral meetings held in Dunsmore and at CF10 (Dunsmore, Wendover and Halton) meetings. The Society has been instrumental in informing members regarding the proposed HS2 and responding on their behalf to the very many Consultations regarding it. It has worked in close co-operation with for example the Chiltern Conservation Board, and the Chiltern Countryside Group. At a formal meeting on April 12th 2016 it was unanimously, formally agreed, that the Society should lodge a Petition with The House of Lords regarding the HS2 Hybrid Bill and that Jennifer Irene Waller, Chairman of The Dunsmore Society be authorised to Petition on its behalf.

The Dunsmore settlement is the highest settlement in The Chiltern Area of Outstanding Natural Beauty (AONB) located over 800ft above sea level. The settlement experiences high levels of tranquility and exceptionally low levels of light pollution. The settlement is
approached only by a steep single-track road, which runs from either the A413 to the East and the Rignall Road to the West. Dunsmore has a large number of ProW running through it and attracts walkers, horse riders and cyclists, as it is located on The Chiltern Cycle Way. The Ridgeway long distance footpath runs just to the West of the settlement attracting many walkers. Many of the paths and tracks run along the ridge on which Dunsmore is situated, giving far reaching views across and along the Misbourne Valley through which it is proposed to run the HS2 line on two viaducts and an embankment. It has two spring fed ponds and a village common and is surrounded by several ProW one of which the Society was responsible in re-opening after many years. Dunsmore is located immediately south of Wendover. It is on the ridge crest overlooking the Misbourne Valley to the East. To the West is Hampden valley and the Chequers Estate, the Prime Minister’s country retreat. The National Trust Coombe Hill Property is adjacent to Dunsmore. The whole area is within the AONB and as such a protected landscape under Section 85 of the CROW Act 2000. With HS2 this will be lost forever. Your Petitioners members have for years walked, cycled and ridden the tracks and paths around Dunsmore.

Your Petitioner is petitioning because the Dunsmore environment will be seriously and adversely affected during both the construction phase and then during operation. Residents feel that being on the boundary of 3 separate district councils, and virtually 3 Parliamentary constituencies, they may well have been disenfranchised. The time scale for submitting Petitions to the House of Lords is woefully inadequate, especially as it included the Easter break. This, combined with the community feeling that basically all the effort, time and money that has so far been committed was wasted on The House of Commons Select Committee is likely to result in far fewer individual petitions.

The proposed scheme will have many irrevocable, detrimental effects upon this protected landscape. The Dunsmore area south of Wendover will be, your Petitioner believes the most seriously affected part of the AONB. In this area the HS2 route will be on surface, embankment, viaduct, shallow cuttings or cut and cover tunnels. The line in the immediate vicinity of Dunsmore includes two massive 500-metre viaducts one at Wendover Dean and one at Smalldene. The viaducts have a maximum height of 26 metres
including the gantries. There is also a long embankment of up to 16 m high with gantries of 8 metres on top. Hedgerows, trees and both ancient and more recent woodland will be destroyed. Farms and land will be taken for construction. Spoil will be dumped to create an embankment and what HS2 Ltd calls a sustainable placement at Hunts Green Farm. This dumping should not be allowed in the AONB even as a temporary measure. There is also a planned autotransformer electricity station, covering 2,200 square metres at Rocky Lane.

Following the House of Commons Select Committee hearings HS2 Ltd have added 6 metre high noise barriers by Wendover, a suggestion that shows a total lack of understanding of appreciation of this environment.

It would appear that the Northern section of The Chiltern AONB is being denied the environmental protection offered by way of a fully bored tunnel being provided to the Southern section. According to the Environmental Statement this decision is based on simply cost grounds and takes no account of the reduction in environmental harm and the statutory requirement to protect this landscape and the intrinsic value of such a protected area.

In order to appreciate the level of desecration projected to be caused by HS2 Ltd in this area your Petitioner respectfully suggests that the Lords Select Committee visits Dunsmore where we would be happy to host the visit and show the full impact upon the community.

The remedy for the wanton desecration of the AONB would be a fully bored tunnel throughout the whole of the AONB.

Problems caused by the Construction Phase:

1. The views to the east of Dunsmore across the valley will change from the current protected landscape into a nightmare of cranes and construction. Spoiled for future generations to enjoy. The replacement of the much loved protected landscape for a jungle of concrete, and fixed and moving steel.

2. The chalk dust from the construction will be of great nuisance when we have Easterly winds and it is inconceivable that the whole construction area can be kept damp to prevent the dust traveling large distances from the site.

3. Your Petitioner objects to the use of a so-called “sustainable placement” in the AONB at Hunts Green Farm across the valley from Dunsmore even as a temporary measure, whatever that means. Such placement will have negative visual impacts and change the character of the area.
4. Your Petitioner objects to the use of balancing ponds in The Chiltern AONB as these once again will drastically alter the unique character of the area, not being a natural feature of The Chiltern landscape.

5. Dunsmore is an area relatively free from light pollution and the need for powerful lighting on the construction site and the construction camps will have a deleterious effect on the “dark skies” currently enjoyed in the settlement.

6. Your Petitioner will find the increased noise level injurious and as this Petition is being written the external sound level is 39.5 db resulting from a singing blackbird. It would otherwise have been quieter.

Problems caused during operation of HS2: -

Your Petitioner avers that the operation of Hs2 following the completion of the proposed scheduled works would have the following permanent effects:

1. Your Petitioner’s views of The Chilterns AONB would be permanently scarred by the construction of two viaducts and an embankment with heights ranging from 10 to 18 metres and the associated catenary on top of that. The line would be visible from numerous viewpoints around Dunsmore destroying a protected landscape under section 85 of The CROW Act 2000.

2. The effect of trains up to 400 metres long running at least every 2 minutes will totally destroy the tranquility of Dunsmore and its environs. As mentioned above Dunsmore enjoys relatively high levels of tranquility and it is a matter for regret that despite repeated requests to HS2 Ltd they chose not to undertake any sound surveys here, this, despite us having a private study done to establish a baseline level of noise. HS2 Ltd have admitted at meetings in Dunsmore, that as our settlement is located above the line we would experience serious aural and visual disturbance yet have not produced any solution to this problem, save a rather flippant throw-away line by Mr N Cowie of HS2 Ltd that excess spoil could be used to construct a large bund around the settlement a la ancient hill-fort!

Remedial Measures: -

HS2 Ltd has attended bi-lateral meetings with The Dunsmore Society and residents. Residents have also attended the CFA 10 meetings. At these meetings it was made clear to HS2 Ltd that the only
mitigation to protect the AoNB in this area and for the residents of Dunsmore was to lower the line into a fully bored tunnel through the whole of the AoNB, to run to a position North of Wendover. This HS2Ltd have admitted in the Environmental Statement is technically possible but rejected on cost grounds. At the initial Wendover HS2 Roadshow Professor Andrew McNaughton HS2 chief engineer acknowledged the desecration that HS2 would bring to the AONB. He advised your Petitioner to seek a fully bored tunnel through the whole of the AONB, as it would be the only truly non-invasive mitigation for the area.

All people affected regardless of distance from the line should be fully and fairly compensated for any property value loss. The current scheme is totally inadequate and certainly not user friendly as mentioned on the Commons Select Committee on several occasions.

At the bi-lateral meetings Dunsmore Society members made it clear that if the option of the fully bored tunnel were not to be enacted then in order to protect both the AoNB and the settlement of Dunsmore, a fully enclosed structure similar to the Arup concept enclosure was required on the 2 viaducts and on the embankment to ensure people would neither see nor hear the trains. This proposal is discussed and dismissed by HS2Ltd in the Environmental Statement; this illustrates the complete lack of understanding of HS2Ltd regarding the natural environment and their responsibilities under The CROW Act 2000. They behave as though they have only a duty to produce an Ultra High Speed Railway and can thus totally ignore any environmental legislation nor bear any responsibility that they may have to preserve the natural environment. Witness their approach to the problems caused to Barn Owls, they accept eradication of those birds living near the line and have a “solution” of putting nest boxes 1.5 Km from the line in the hope that some birds might think to use them. One only has to look at the planned 6 metre sound barriers for Wendover to appreciate HS2’s complete contempt for any solution that seeks sympathetic accommodation of the railway.

The Dunsmore Society also requests that a fully independent review of costings be undertaken to look at the true relative merits or otherwise of providing a fully bored tunnel versus the current proposals. The figures should include loss of amenity value to the visi-
tors who come to this part of the AONB for relaxation and to enjoy the tranquility this area affords them and the freedom to roam through our unique landscape that was the cause of it being granted AONB status in the first place.

There are other clauses and provisions of the Bill, which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.

4. The prayer

The petitioner therefore asks the House of Lords that your petitioner, or someone representing your petitioner in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

.....................................................

JENNIFER WALLER (Agent)

[each petitioner (or his Agent) MUST sign (or seal) the petition here]

Print the name of the person signing below each signature (and add “Agent” if appropriate).

[add the date here] 16-4-16
PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF
Murray Cooke
Christopher McDowell
Gilberto Albacete De Sousa
Eve Weinberg
Joanna Morley
Jacqueline Doyle
Chris Powton
Vicci Powton
Helen Clark
Claire Walker
Gordon Wong
Kevin Vaughan
Jessica Beale
Chris Richards
Linda Bashir
Iftekhar Bashir
Peter Bone
Yvonne Bone
Amy Needham
Gwen Williams
Rory Reed
Alice Winifred Woods
Garry Howard
Caroline Gordon
Sean Meier
Helen Meier
Amrik Shinji
Nisha Shinji
Anne-Marie Foster
Maureen Cleaver
Digby Cleaver

Declares that:

1. The petitioners are specially and directly adversely affected by the Scheduled works relating to the construction of a “green tunnel” through Wendover and adjacent Noise Barriers to the North and South of the tunnel.

2. Your petitioner

The petitioners are residents of Forest Close, Wendover, HP22 6BT whose dwellings are between 100 metres and 305 metres from the centre of the proposed H52 line.
and green tunnel, in the vicinity of Wendover Station.

3. Your petitioner's concerns

The construction phase will rob the petitioners from being able to access Coombe Hill and Dunsmore in the Chilterns AONB. The footpaths that these residents use on a daily basis (including the National Ridgeway Trail) will be inaccessible, and the proposed alternative routes are through a major construction site with associated issues of noise and dirt.

The petitioners live in an Area of Outstanding Natural Beauty, and their recreational activities will be significantly impacted by the environmental intrusion of the Green Tunnel, Embankments and associated Noise Barriers. Once in operation further environmental damage will result from the noise associated with passing trains. All these factors will have a negative health impact on petitioners across the generations, both in terms of fitness and mental health.

The petitioners propose that a fully bored tunnel through the AONB would be an effective solution to both the construction and subsequent phase impacts. Additionally the associated costs and benefits need to considered over the operational life of the railway, rather than just the initial capital expenditure.

4. The prayer

The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

Ann Cooke (Agent)

April 2016
To the House of Lords  
Session 2015–16

PETITION against the  
High Speed Rail (London – West Midlands) Bill

THE PETITION OF WILLIAM TIMOTHY SIMON LEE and DEBBIE WAVENY LEE

Declare that:
We. The petitioners ("Your Petitioners") are specially and directly adversely affected by the whole Bill

2. Your petitioners

2.1 Your Petitioners are Timothy and Debbie Lee, resident at Dunsmore Park, Dunsmore, near Wendover, Aylesbury, Bucks HP22 6QH, who the Bill will specially and directly affect, both during construction and after completion, by the proposed HS2 line. Your Petitioners live in the quiet hamlet of Dunsmore near Wendover in that part of the Chilterns Area of Outstanding Natural Beauty (AONB) which the Bill will specially and directly affect.

2.2 Your Petitioners are injuriously affected by the Bill, to which your Petitioners object for reasons, amongst others, hereinafter appearing.

3. Tunnel throughout the Chilterns AONB

3.1 Your Petitioners as residents of Dunsmore near Wendover and its environs in the Chiltern AONB are concerned about the serious and injurious effect of the currently intended proposals regarding this part of the AONB and on both the hamlet of Dunsmore and the neighbouring town of Wendover.

3.2 In this respect, between South Heath and Wendover, Buckinghamshire, the Proposed Route is on the surface and includes sections in cuttings, and on two large and very intrusive viaducts and on very high embankments, up to 50 to 60 ft high above existing ground level.
3.3 This area is designated as an Area of Outstanding Natural Beauty under Section 85 of the Countryside and Rights of Way Act 2000 (CROW Act) and is further protected under the National Planning Policy Framework and the European Landscape Convention.

3.4 Your Petitioners contend that building HS2 on the surface in this section will permanently destroy the tranquility of the area and the beauty of its landscape, qualities that lead to the AONB being visited over 50 million times a year by visitors from London and other areas, have severe adverse effects on the reputation, social, environmental and economic cohesion of the communities in the area during and for a period after its construction. It will permanently and seriously reduce the ability of residents of the area and the numerous visitors to enjoy the natural benefits of the area in which they live.

3.5 Your petitioners are also greatly concerned about the inevitable disruption to their lives which will result from the construction of the line with all the likely dust, noise, hours of work, vibration, traffic movements, congestion and access problems and other implications during what will be a very long period of construction.

3.6 Your Petitioners contend that the proposed use of 6 metre (about 20 ft) high sound barriers will seriously degrade the environment of Wendover and the AONB south-east of Wendover and radically alter the character of the town and our village of Dunsmore. Your petitioners needs to use the narrow lanes and roads which will cross and be affected by the construction of the proposed line and need to use these roads for access to Wendover and its surrounding areas, in particular, for shopping, recreation, medical services and rail, as well as to gain access to the A 413 for London and all other areas.

3.7 Your Petitioners request that the Chilterns AONB be properly and totally protected by extending the presently proposed fully bored tunnel beyond Wendover, by requiring the construction of an extended tunnel, based on the T3i proposals, as developed by HS2 Limited. This is to ensure that the line passes through the whole of the AONB within a fully bored tunnel.

3.8 The extended tunnel proposals have been referred to in the Environmental Statement and accepted by DfT and HS2 Ltd as both feasible and environmentally preferable. This proposal has been extensively discussed with local councils and action groups and within the local area forums, and is supported by them. The adoption of this proposal, which is jointly submitted and will be presented with others, would
substantially remove the adverse effects complained of in the remainder of this petition and the need for most of the proposed remedies otherwise required.

4.0 Planning Precedent

4.1 One of your Petitioners' major concerns if HS2 is finally built above ground from South Heath to Wendover is the gross prejudicial impact it will have upon the Chilterns AONB.

4.2 Such building of HS2 here above ground will set a terrible precedent for any other AONB or National Park in the rest of the country if major infrastructure projects or developments are ever proposed in the future.

4.3 Existing planning policies are very strict in this Green Belt and AONB within the Chilterns. Your Petitioners are currently building a new replacement house for them to down-size to in the village of Dunsmore and the local planning authority officers will not even allow the installation of 3 attractive dormer windows in the large 45° sloped tile roofing.

5.0 Cost Benefit of a Tunnel in the remainder of the AONB

5.1 At the HS2 Event in Wendover Memorial Hall on 7 November 2015 HS2 representatives told us there was not enough cost benefit for extending a fully-bored tunnel past Wendover from its extended position past South Heath, even though we all know HS2's overall cost benefit is exceedingly low in comparison with other major infrastructure projects.

5.2 The House of Commons Select Committee (HOC SC) recommended and HS2 Ltd/the Government agreed to extend the tunnel from Mantle's Wood to the end of the South Heath Green Tunnel – a distance of some 2.6 km at an extra cost HS2 Ltd said was £46.54 million, for which we are all grateful.

5.3 That avoids destruction of Ancient woodland, demolition of 7 dwellings including derelict Annie Bailey’s pub/restaurant, and saves the settings of some listed buildings.

5.4 It is difficult to assess whether the benefit of those items saved is equal to £46.54 million? So what is the value of rescuing ancient woodland, as well as of tranquillity from lack of noise and visual impact of HS2 above ground?

5.5 In simple mathematical terms, if 2.6 km new tunnel costs an extra £46.54 million as HS2 Ltd has said, then your Petitioners reasonably surmise an extra 6.4 km from South Heath to the start of Wendover Green Tunnel should cost in the region of an extra £114.5 million, although it’s difficult to estimate extra cost of full tunnel instead of Green Tunnel over the 1.3 km past Wendover.
5.6 Yet HS2 Ltd have in previous reports always claimed the extra cost of tunnelling proposed by other organisations would be between £300 and £400 million.

5.7 Your Petitioners have got used over 6 years to HS2 Ltd and the Government being “economical with the truth” on HS2, but this claim of theirs is surely beyond all credibility.

5.8 Before the HOC SC the Wendover Society’s expert witness Christopher Pallet, a highly experienced estate agent, gave his opinion that the cost of residential blight for the town of Wendover is about £100 million and your Petitioners assessed the cost of blight on Upper Dunsmore residential property at £10 million and that’s before including the disastrous loss in value of the Small Dean and London Road properties also of about £10 million.

5.9 In addition the Wendover Society estimated cost of moving pylons and cricket pitch at a further £20 million, and that’s not counting any losses to local business.

5.10 So the total cost to the community of Wendover and Dunsmore saved if a full tunnel was installed through the rest of the AONB will be not less than £140 million.

5.11 So, in the opinion of your Petitioners, the “saving” for the Government and HS2 Ltd by building HS2 above ground and not putting it through a fully-bored tunnel throughout the whole of the Chilterns AONB is being passed on as an enormous cost to the local communities of Wendover and Dunsmore, as well as those communities of Potter Row and Kings Ash nearer to South Heath.

5.12 These communities will derive absolutely no benefit from the building of HS2 because HS2 is non-stop from London to Birmingham. So your Petitioners hope it will be understood the considerable benefits for all residents and visitors to this final part of the Chilterns if HS2 was fully tunnelled, both physically and financially.

5.13 Your Petitioners therefore request that, at the very least, an independent assessment of the cost in respect of extending the existing proposed tunnel from South Heath to past Wendover so that the Chilterns AONB is fully tunnelled and a full cost benefit analysis are undertaken in relation to the AONB area before any final decisions are made and construction works commence in this area.

5.14 In that regard, if there was a fully-bored tunnel throughout the Chilterns, there would be effectively no further need for HS2 Ltd to purchase affected residential property under the Need to Sell arrangements, thus saving the Government and the taxpayer considerable costs, and bringing relief to a large number of residents (the population of Wendover and Dunsmore etc is in the region of 10,000 people)
6.0 Tunnelling and Other Mitigation

6.1 Your Petitioners accordingly emphasise that, if the Bill were to be amended to include the provision of a fully bored tunnel throughout the AONB to the North of Wendover by extending the currently proposed tunnel from South Heath to just north of Wendover then the currently proposed mitigation measures would, in large measure, be unnecessary and their impacts would be otherwise effectively mitigated.

6.2 Your Petitioners request that, except to the extent met by any such provision, the following mitigation measures should be adopted and implemented, in order of priority.

a. That the possible further extension of the tunnel from South Heath to north of Wendover by boring or mining be adopted, particularly as this also has acknowledged environmental benefits.

b. That, if that is not accepted, then the line along this section of the track be housed within deeper cuttings, with improved mitigation and bunds, where appropriate, to seek to reduce noise and to conceal the line and the gantries and that the power for the contractor to raise the line by up to 3 metres is excluded for the AONB section of the line.

c. That the existing proposed green tunnel at Wendover be replaced by a bored or mined tunnel extended to the south and north of Wendover to remove the need for 2 viaducts and the linking embankment. This would also help protect the Bacombe aquifer from huge damage and solve potential hydrogeological problems.

d. That provision is made for constructing bridges where there is established rights of way, including making these Green Bridges, bearing in mind not only the need to retain trees and shrubs but also the need to preserve wild life access, particularly given that this is part of the AONB.

e. That the speed of the trains be reduced as per the recommendation of the House of Commons Environmental Audit Select Committee Report in order to help reduce the environmental impact and sufficient to ensure compliance of noise mitigation with the World Health Organisation standards.

f. That the Wendover Dean and Small Dean viaducts and adjacent embankments be of the highest quality design and the infrastructure to be made as visually pleasing as possible, with enclosures where possible and with the maximum use of noise barriers on both sides, including boxing in if necessary.

g. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow to at least forty feet high, in order to conceal the line from view at the earliest possible time.

h. That the plans for the current Hunts Green Spoil Dump are substantially
reduced and minimised and that arrangements are made for the spoil to be removed from the area by rail or pipeline. Your Petitioners point out that, if the full tunnel proposals are adopted, then the amount of spoil involved for this section of the line will be substantially reduced and it could also be removed, including by rail, at the Wendover exit of the tunnel, or, if bored one way, from the M25 end of the tunnel.

i. That in relation to the balancing ponds, alternative sustainable urban drainage system techniques are considered in consultation with the local authority and that any ponds should not be artificially lined.

j. That in relation to the River Misbourne, and water supply, full surveys and continuing monitoring should be undertaken regarding water quality and the effect of the construction works, with actions undertaken, including cessation of construction in this area, if any adverse impacts are found.

k. That the pylons along this section of the line are removed and the power lines are reinstated underground.

l. That it is specified that for the AONB, the line should have specially designed and constructed gantries designed to be as compatible and as unobtrusive as possible with the AONB environment and which designs shall first be subject to prior full consultation with local authorities and other local concerns for the Area.

m. That the local authorities for areas along the proposed line should be reimbursed and compensated for additional expenditure and losses incurred in relation to their involvement and responsibilities in all aspects of the construction and operation of the proposed line.

n. That there should be established a Chilterns AONB Review Group as envisaged and described in, and with the powers and responsibilities as set out in, the amendments to the Bill regarding the same as proposed by Cheryl Gillan and Keith Baker for consideration at the Report Stage of the Bill in the House of Commons.

o. That there should be established an independent HS2 Adjudicator with the duties, powers and functions as set out in the amendments regarding the same under the name of Cheryl Gillan and others relating thereto as proposed for consideration at the Report Stage of the Bill in the House of Commons.

p. That arrangements should be made for independent local Valuers to be appointed to advise the Promoter in relation to compensation assessments and Need to Sell Scheme and other property valuations.
7.0 The prayer

7.1 The Petitioners therefore ask the House of Lords that your Petitioners, or someone representing your Petitioners in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioners remain, etc.

WILLIAM TIMOTHY SIMON LEE                      DEBBIE WAVENY LEE

18 April 2016
To the House of Lords
Session 2015–16

PETITION against the: High Speed Rail (London – West Midlands) Bill

THE PETITION OF Mrs Suzanne King

Your petitioner

Your Petitioner is Suzanne Jenifer King (hereinafter referred to as “the Petitioner”) who lives at Rose Cottage, Dunsmore, Aylesbury, Buckinghamshire. HP22 6QH who the Bill will specially and directly affect, both during construction and after completion, by the proposed HS2 line. Your Petitioner lives in that part of the Chilterns Area of Outstanding Natural Beauty (AONB) which the Bill will specially and directly affect.

Your Petitioner’s concerns

1. Your petitioner has lived in Dunsmore since 1993 and is married with three young daughters aged 12, 9 and 4 years old. The Bill would authorise the construction and operation of the railway near Dunsmore.

2. Your Petitioner and her interests are injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

3. Your petitioner has three young children, the oldest being autistic and asthmatic. All three attend local schools in Great Missenden. During school term time your petitioner has to take the children to school in the morning using the A413, which is a very busy commuter road. In the afternoon your petitioner may have to make more than one trip to collect the children as they sometimes come out of school at different times.

4. The impact of the additional traffic, including up to 300 HGVs per day and especially the proposed “haul” road from the construction site above Great Missenden down to the roundabout on the A413 will impose both unspecified delays and increased risk to local users such as your petitioner.

5. Objection is taken to both the construction and operation of the scheduled works proposed to be undertaken in and near Dunsmore between Great Missenden and Stoke Mandeville. These works consist principally of two viaducts – a) the Wendover Dean viaduct and embankment between Hartley Farm and Road Barn Farm; and b) the
Smalldene viaduct which crosses the Chiltern railway and the A413 to the south of Wendover; together with the embankments between the northern end of the Small Dean viaduct and the southern end of the Wendover green tunnel. There are also ancillary works such as satellite compounds, auto-transformer stations, balancing ponds and portal buildings.

6. Notwithstanding the alterations proposed by HS2 during the House of Commons committee hearings to grudgingly extend the tunnel northwards past Great Missenden, to provide a green tunnel past part of Wendover and bizarrely to build a 6m high "sound barrier to protect St Mary’s church and the adjacent school from the worst of the noise pollution, your Petitioner’s objective is to persuade your Honourable House to continue the line in a tunnel from Little Missenden until past Wendover.

Problems caused by the construction process of the scheduled works

7. Your Petitioner avers that during construction of the scheduled works there will be the following effects:

8. Disruption of traffic and substantial delays along all local roads, caused by up to 300 HGVs per day plus smaller vehicles and equipment, especially on the A413 which your petitioner uses on a regular basis travelling to Great Missenden and also to Wendover and Aylesbury.

9. Dust caused by chalk and soil from construction and excavation, leading to the exacerbation of respiratory problems. On storage, chalk dries out, creating dust, which is then distributed by wind. Your petitioner is extremely concerned by this risk since her oldest child suffers from asthma.

10. Substantial damage to this part of the Chilterns Area of Outstanding Natural Beauty (AONB) with its exceptional natural beauty both by visual intrusion and noise pollution.

11. The two enormous viaducts at Wendover Dean and Small Dean will be major structural works whose construction will take years.

12. Disruption to footpaths, which your Petitioner uses for leisure and exercise.

13. Noise from machines moving spoil, constructing embankments and viaducts and traffic connected therewith, leading to inability to concentrate during the day, and inability to sleep at night.

14. Lighting over the construction area causing light pollution. Your Petitioner lives in an area where there is no artificial lighting, so this incursion of light would be very noticeable.
Problems caused by the operation of HS2

15. Your petitioner avers that the proposed recent modification to the design to include a 6 m high “sound barrier” at Wendover to “protect” St Marys Church and the adjacent school will have the effect of throwing the sound towards Dunsmore and the nearby beauty spot of Coombe Hill thereby exacerbating the damage to the Chilterns Area of Outstanding Natural Beauty by a significant reduction in tranquillity. It will also be a huge and dominating visual intrusion within the AONB.

16. Your Petitioner’s enjoyment of the Chiltern Hills would also be permanently damaged by trains up to 400 metres long passing every two minutes at peak periods.

17. The proposed hours of operation mean that World Health guidelines for night hours are being breached. The noise from these trains would cause strain upon your Petitioner’s life and affect her and her children’s’ sleep. At the distance from the line where she lives, the noise would be spread over a longer time period, and thus be heard for approximately one minute in two. This is in an area which is at present one of peaceful tranquillity.

18. The value of your Petitioner’s house has already been adversely affected, and will continue to be so on a permanent basis.

19. The damage to local facilities would be substantial, both those of value to your Petitioner such as St Mary’s Church for its community uses, and those of value to Dunsmore as a community, particularly the adjacent shopping centre of Wendover High Street and the nationally recognised monument and National Trust area at Coombe Hill.

The benefits of a fully-bored tunnel

20. Your Petitioner proposes that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover. This would avoid all the disadvantages set out in paragraphs 15 - 19 above and most of the disadvantages set out in paragraphs 7 - 14 above.

21. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended by the inclusion of a tunnel from the current exit adjacent to Rocky Lane to the end of the AONB to the north of Wendover, then the Bill should not be allowed to pass into law.

Mitigation for construction of a fully-bored tunnel

22. If a fully-bored tunnel is included in the Bill, your Petitioner proposes that at least the following mitigation be adopted for its construction:
23. That a traffic management plan be agreed before construction starts with the local county, district and parish councils, and such plan to go to arbitration if agreement cannot be reached.

24. That acceptable noise levels be agreed before construction starts with the local county, district and parish councils, and such noise levels to go to arbitration if agreement cannot be reached.

25. That noise levels be monitored on a frequent and regular basis by an independent organisation, with the result of such monitoring be immediately made public.

26. That artificial lighting at construction areas be limited to working hours.

27. That funding be made available to Wendover Health Centre and local hospitals for the provision of any necessary additional facilities to cope with increased health problems, such as sleep disturbance, respiratory illness and hypertension, and including those caused by traffic emissions and dust created by the construction of the scheduled works.

28. That full compensation for damage to property or loss in property value caused by construction of the scheduled works and their subsequent operation be available to all those who suffer such loss.

Mitigation for construction of the present proposal

29. However, if the proposal for a fully-bored tunnel is rejected your Petitioner proposes either of the following as mitigation:-

30. That the alignment of the railway be changed so that it is in a cutting from the Potter Row tunnel exit and remains in a cutting passing under the A413 and the Chiltern Railway at Smalldene before entering the green tunnel at Wendover. This would eliminate the need for the viaducts at Smalldene and Wendover Dean thereby protecting the AONB.

31. Or failing the adoption of the proposal in Paragraph 21 above, then the existing proposed green tunnel be extended to the south and north of Wendover, and that the proposed viaducts at Wendover Dean and London Road carry effective sound barriers of at least 5 m in height or failing that have the tracks enclosed in sound deadening concrete tubes.

32. In addition your Petitioner asks that the proposals for mitigation put forward in paragraphs 29 – 32 above be adopted.
The prayer

The petitioner therefore asks the House of Lords that your petitioner, or someone representing your petitioner in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Suzanne Jenifer King
17th April 2016
To the House of Lords  
Session 2015–16

PETITION against the  
High Speed Rail (London – West Midlands) Bill

THE PETITION OF Dr John Savin

Declares that:

1. The petitioner ("Your Petitioner") is specially and directly adversely affected by the whole Bill

2. Your petitioner

Your Petitioner is Dr John Savin of 8 Walnut Drive, Wendover, HP22 6RT, who the proposed HS2 line will specially and directly affect, both during construction and after completion. Your Petitioner lives in Wendover adjacent to that part of the Chilterns Area of Outstanding Natural Beauty (AONB).

Your Petitioner, is injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

3. Your Petitioner’s concerns

3.1. Tunnel throughout the Chilterns AONB

The HS2 scheme route between South Heath and Stoke Mandeville is on the surface (other than a short Green Tunnel section) and includes sections in cuttings, on two large and intrusive viaducts and on embankments. Part of this section runs through as an Area of Outstanding Natural Beauty as determined under Section 85 of the Countryside and Rights of Way Act 2000 (CROW Act) and is further protected under the National Planning Policy Framework and the European Landscape Convention.

The landscape is enjoyed by an estimated 50 m visitors a year, is easily accessible from London, and is an important asset for the nation that should be preserved for the enjoyment and use of future generations. The purported economic benefits of HS2 are largely non-cash claims based on unsubstantiated forecasts. The proposed rail line will have a major intrusive impact on the landscape of the AONB, on the Vale of Aylesbury and on the town of Wendover. It runs within 1 km of your petitioner’s property and will create permanent damage to a sensitive and valuable natural environment.

Construction will badly affect the area particularly during construction. On completion, the proposed mitigations (Green tunnel past Wendover, 6 m noise barriers) are inadequate. The line confers no environmental and economic benefits for the communities in the area.

In particular, your petitioner is a keen cyclist and walker and notes that many cycling and leisure pursuits are an important local and national use of the AONB. HS2 will
permanently and seriously reduce the ability of residents of the area and the numerous visitors to enjoy the natural benefits of this important area.

Your Petitioner requests that the Chilterns AONB be properly by requiring that the HS2 line passes through the whole of the AONB and extends past Wendover in a bored tunnel. The extended tunnel proposals have accepted by DfT and HS2 Ltd as both feasible and environmentally preferable. An example of an acceptable tunnel would be the T3i proposal.

3.2 Costs not properly disclosed

Your Petitioner also notes that HS2 Ltd has been inconsistent in its statements of cost and has not fully disclosed the basis of costing or asked for appropriate tunnelling bids. Your petitioner also believes that HS2 in promoting its own proposals and seeks to adversely portray the various feasible tunnelling options and that it is not a disinterested and impartial witness. Your petitioner therefore asks for an independent assessment of the tunnelling proposals and their costs.

Your petitioner notes that no assessment seems to have been carried out of the Promoters scheme design of a long tunnel to near South Heath from the M25 so it cannot be assessed if such a scheme is actually value for money. Your petitioner suggests that both tunnel proposals be evaluated on the same formal basis.

3.3 Request for an independent valuation of landscape

Your petitioner also asks for an independent valuation of the AONB and associated landscapes and affected environments. The Promoter and Department for Transport have valued the AONB as intensive agricultural land which is a gross misrepresentation. In addition, the effect on landscapes away for the proposed route but potentially affected by the proposed design have not been properly assessed or costed.

3.4 Nuisance during construction

Your Petitioner further requests that the nominated undertaker be required to mitigate the nuisances inherent in construction by giving the Code of Construction Practice legal effect with independent assessment of compliance and significant and meaningful sanctions for breach of the Code with a rapid remedy. Your petitioner notes that often contactors and subcontractors under time and budget pressures ignore agreed conditions and that local authorities do not have the resources or funds to take legal action and that any sanctions are trivial in the overall context of the project and given the profits to be made. In particular, that the Code or requirements in the Bill be so amended to enforce the following measures:-

a) Prohibiting HGV and light vehicle movement related to HS2 in Wendover village and specifically along Tring Road and London Road which are school routes between 08.00 and 09.00 and between 15:00 and 16:00 during school terms. Your petitioner notes inadequate cycle land and pedestrian access to the school campus area in Wendover (Your Petitioner is a School Governor at the John Colet School, Wendover and an already crowded traffic situation.

b) Prohibiting any widening or enlargement of the narrow and minor lanes which will alter the character of the historic landscape.
c) Prohibiting the use of all existing narrow minor roads in the AONB by construction traffic. Your petitioner as a cyclist is particularly sensitive to that dangers of excessive traffic and badly maintained local roads, poor surfaces and potholes due to use by heavy vehicles.

d) Constructing facilities non-road facilities to remove spoil from the AONB area by rail or by pipeline and not using a spoil dump at Hunts Green.

e) That contractors in the AONB will be required to restore the land used for construction, spoil and accommodation and temporary access roads after use to the condition it was in before the works and that local authorities be given the power to inspect such works and if necessary sanction contractors.

f) During construction, the nominated undertaker must be responsible for maintaining the quality of all roads used during and after construction, so that the roads must be returned to their original size and character, and all damage repaired by the nominated undertaker.

3.4 Hydrogeology and environmental water issues

Your petitioner notes concerns raised in detail by himself and other petitioners concerned ground water flows through the chalk aquifer on the West side of Wendover (Bacombe Hill). This aquifer feeds various springs and streams in the Wendover area and these supply high quality water to the Wendover Arm and Grand Union canals and the Weston Turville reservoir, a site of Special Scientific Interest. The promoter claims negligible impact but other assessments conclude that extensive and costly pumping and water purification will be needed in perpetuity to replenish these environmentally sensitive and valuable springs. This remediation work may require extensive work throughout the village so far not disclosed. The promoter is being negligent in not disclosing the risks of the proposed design.

A fully bored tunnel past Wendover would avoid damage to the aquifer and prevent this environmental damage. Such a tunnel would be preferably a continuation of the extensive tunnel to the M25 but might be a short section for 4km passing Wendover. A short section might be a dug tunnel if feasible but might be subject to flood.

Such a tunnel would also reduce the storm flood risk to parts of the Vale of Aylesbury, an area becoming increasingly developed. Pumping stations are liable to failure and can be overwhelmed and the quantities of water captured by the proposed design are a major risk factor.

Hydrogeological mitigation needs to be in place before full construction of the Green Tunnel and cuttings can start if a fully bored tunnel is not used.

A fully bored tunnel would also ensure that the HS2 project could be completed on time whereas damage to the aquifer will cause significant delays and cost overruns.

3.5 Noise effects

Your Petitioner has carried out analysis of noise levels projected by the promoter during operation in CFA10 and in particular around the proposed North and South Portals of the Green Tunnel past Wendover. The latest estimates are contained in AP5 and includes the estimated effects of 6m sound barriers. Your petitioner notes the inherent error on estimating sound levels for very high speed trains and note...
that the 400 kph design speed is likely to produce sound energy well in excess of current high speed systems such as HS2.

The Promoter has insisted on using an incorrect average sound level in discussing the scheme. The Promoter deliberately selected misleading locations for determination of baseline noise levels. The promoter has misleadingly implied that assessment locations are robust measurements when they are estimates. The promoter has not disclosed the error ranges for assessment locations and always used free field estimates which can underestimate actual sound energy.

The promoter has also never disclosed the actual sound profiles of passing trains at different assessment points. This is a crucial omission.

Your petitioner has noted that significant and lengthy pulses of sounds are predicted by the noise and peak levels estimated in APS by HS2. In particular, the Church (St Mary’s) used for concerts attended by your Petitioner will be badly affected by such prolonged noise pulses. Your petitioner notes that the payment to mitigate the sound effects on the Church is grossly inadequate.

3.6 Compensation

Whereas compensation is sometimes provided to certain property owners after an onerous process, no compensation is provided to other individuals and the local communities which are grossly affected by the proposed scheme.

Your petitioner asks for a significant compensation payment to be made annually and uprated in accordance with the GDP growth projected in the HS2 business case to a community charity. Given HS2’s projected revenues, such sums are affordable.

4. The prayer

The petitioner therefore asks the House of Lords that he, or someone representing him in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Dr John Savin

Sunday, 17 April 2016
To the House of Lords  
Session 2015-16

PETITION against the  

High Speed Rail (London – West Midlands) Bill

THE PETITION OF WendoverHS2

Declares that:

The Petitioner is specially and directly adversely affected by the whole Bill.

1. Your petitioner WendoverHS2 (hereinafter referred to as “the Petitioner”) is the organisation set up following a public meeting in April 2010 which authorised your Petitioner to represent the population of approximately 10,000 inhabitants of Wendover, Halton, Dunsmore and surrounding areas in opposing the building of a high speed railway through Wendover and the Chilterns, mitigating its effects and all related matters. Much of the historic market town of Wendover and the surrounding rural area lie within the Chilterns Area of Outstanding Natural Beauty (AONB). Your Petitioner’s committee members include County, District and Parish Councillors and local residents. Those whom your Petitioner represents are hereinafter referred to as Local Residents.

Since April 2010 your Petitioner has

• held at least two public meetings a year attended by over 250 Local Residents
• opened a shop for six months providing information about HS2
• operated a website
• met in committee over 100 times
• frequently corresponded with its supporters by email
• provided a monthly stall on the Manor Waste on market days
• attended forums and bilateral meetings with HS2 Ltd.
• co-operated with many local organisations including Wendover Parish Council, the Chiltern Conservation Board and the Chiltern Society
• published regular updates in the Wendover News
• organised an ambient noise survey for Wendover and Dunsmore
• assisted in the funding of an independent hydrogeologist
• responded to six HS2 consultations
- kept local residents informed about the effect of HS2 by leaflet drops and other means
- Petitioned the House of Commons
- Unanimously agreed on March 29th that the organisation would petition the House of Lords and that the petition would be based on an agreement by the 4 organisations representing Wendover i.e. Wendover Parish Council, Halton PC, Wendover Society and WendoverHS2.

The Bill would authorise the construction and operation of the railway through and near Wendover.

The interests of Local Residents are injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

Your Petitioner and Local Residents will derive no benefit of any kind whatsoever from HS2, and accordingly will suffer twice, firstly as taxpayers having to fund it, and secondly by being subject to the disruption caused by construction and the permanent blight caused by operation.

The property of Local Residents is shown in the Zone of Theoretical Visibility in ES 3.5.1.7.2., and, inter alia, in maps LV-03-036, LV-04-036 and SV-05-019.

Your Petitioner has been the recipient of letters and information in the mail from HS2 Ltd, which indicate that it considers that Local Residents are affected by the Bill.

Your Petitioner has been invited to and has attended forums and bilateral meetings with HS2 Ltd.

**HS2 Wendover Area**

Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken in and near Wendover between Little Missenden and Stoke Mandeville. These works consist mainly of Wendover Dean viaduct; a cutting from the northern end of the Wendover Dean viaduct to Hartley Farm; an embankment between Hartley Farm and Road Barn Farm; The Small Dean viaduct; an embankment between the northern end of the Small Dean viaduct and the southern end of the Wendover green tunnel, and the Wendover green tunnel. The works would cut through a significant aquifer that feeds downstream springs the Wendover arm canal and in turn Weston Turville SSSI. The House of Commons HS2 Select Committee extended the Wendover Green Tunnel by only 100 metres and the latest HS2 Ltd. proposal involves the construction of 6 metre
high noise barriers from the southern green tunnel portal to the viaduct at Smalldene and a significant increase in height of 2 of the electricity pylons. HS2 Ltd. state that they cannot identify sound barriers of such a height in the UK.

Also included are ancillary works such as satellite compounds, auto-transformer stations, balancing ponds and portal buildings. HS2 will also need to include some form of works that will mitigate the hydrogeology impacts, this should include a pump station, distribution pipelines and settling ponds within the vicinity.

**Aim of Petitioner**

Your Petitioner’s main objective is to persuade your Honourable Lords to lower the line into a fully-bored tunnel as it passes through the whole of the Chilterns AONB ending at the AONB boundary to the north of Wendover. We earnestly request that your Lordships require The Promotor to commission a fully independent review of the costs of 2 alternatives: The Promotor’s existing scheme and a fully bored tunnel to the end of the AONB. This to inform that decision in the light of inconsistent and ever changing cost estimates of the promoter.

**Problems caused by the construction process of the scheduled works**

During construction of the scheduled works there would be the following effects on Local Residents:

Disruption of traffic and substantial delays along all local roads, caused by around 300 HGVs per day, especially the A413, the B4009 and the A41.

A serious strain on local community services such as the Wendover Health Centre and the police, caused by an influx of construction workers.

Dust caused by chalk and soil from construction and excavation, leading to the exacerbation of respiratory problems suffered by Local Residents. On storage chalk dries out, creating dust, the effect of which will be made worse by the prevailing south-west wind, which blows directly onto Wendover.

Substantial damage to this part of the Chilterns AONB with its exceptional natural beauty and legally protected landscape, for example by the visual...
intrusion of the construction works and the dumping of over 800,000 cubic metres of spoil at Hunt’s Green.

Substantial damage to the local cultural heritage, including the listed 800 year old St Mary’s Church, which is used for both religious and cultural purposes. In particular the noise from the trains on the Small Dean embankment will render it unusable for concerts, lectures, weddings, baptisms and funerals.

Disruption to public footpaths and bridleways, which many Local Residents and tourists use on a regular basis. These include The Ridgeway, which is one of only fifteen National Trails in England and Wales, and the Chiltern Way, the Icknield Way, the South Bucks Way, the Aylesbury Ring and the Chiltern Link.

Noise from machines digging the green tunnel, moving spoil, constructing embankments and viaducts and traffic connected with that, leading to the inability to concentrate during the day, and inability to sleep at night. In particular the projected night-time noise will be substantially above the World Health Organisation guidelines. The noise projections given out by HS2 Ltd. have been of average noise, rather than peak noise, which has the greatest and most harmful effect. HS2 Ltd have agreed that peak noise should be used to assess the impact in evening and night time.

Light over the construction area causing light pollution. Many Local Residents live in an area where there is little artificial lighting so this incursion of light would be very noticeable.

The serious effect on the springs and aquifers that exist in Wendover, which feed into the Wendover Arm of the Grand Union Canal, and for which no full hydrogeological groundwater modelling has been carried out.

The effect on the value of property situated not just near the line but often at many hundreds of metres away from it, which have already suffered blight for over four years, and will continue to do so throughout construction and afterwards.

The effect on trade and commerce in Wendover, in particular the adverse effect on tourism, as evidenced by the construction of the Wendover bypass in 1997/8 which caused serious financial damage to many businesses, which in turn affects the social cohesion of the community.
Problems caused by the completed works and the operation of HS2

Your Petitioner avers that the completed proposed scheduled works would have the following permanent effects:

The views of Local Residents of the Chiltern Hills in the AONB would be permanently scarred by the obtrusive viaducts and embankments above ground level with gantries on top. The line would be visible from numerous viewpoints in the locality, as shown in the Zone of Theoretical Visibility. It would be overbearing and dominant in the landscape. The latest proposal utilising 6 metre sound barriers would have a highly obtrusive and overwhelming effect on Wendover and coupled with the suggested double bank of 4 metre barriers roadside would create an almost unbelievable visual blight on the area.

The views of the Chiltern Hills enjoyed by many Local Residents would also be permanently damaged by trains up to 400 metres long passing every 100 seconds.

The noise from these trains would cause an intolerable strain upon the life and affect the sleep of many Local Residents. The peak noise for those living nearby would be intolerable. For those living at a distance from the line the noise would be spread over a longer time period. The periods during which the noise would be heard would be longer than the periods without noise. This is in an area which is at present one of peaceful tranquillity.

The value of hundreds of properties belonging to Local Residents has already been adversely affected, with many belonging to those living near the line being unsellable, and would continue to be so on a permanent basis.

The damage to local facilities would be substantial, both those of value to many Local Residents such as St Mary’s Church for its religious and community uses; those of value to young people such as the skateboard park; and those of value to Wendover as a community such as the cricket ground, which would be destroyed.
The damage to local businesses would also be substantial due to the negative impact of HS2 on tourism, as Wendover would become a less desirable place to visit with the sight and sound of HS2 being in close proximity.

Your Petitioner is concerned that the operation of HS2 will have a serious flow and water quality effect on the springs and aquifers that exist in Wendover, which feed into the Wendover Arm of the Grand Union Canal.

Your Petitioner is concerned at the placing of a Maintenance Loop between Wendover and Stoke Mandeville. This will be a permanent scar on the landscape with attendant noise and light problems, and would be better placed in an area where there will be much larger permanent works.

**The benefits of a fully-bored tunnel**

Your Petitioner proposes that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover. HS2 Ltd has confirmed that from an engineering and construction point of view this is possible.

HS2 Ltd has said that such a tunnel would cost considerably more than the present proposal. However, it has refused to divulge any detail of its cost estimate, or even the tender documents on which it was based, and there is considerable justifiable speculation that the figure is considerably exaggerated. We are asking that fully independent costings be commissioned for the current proposed route and a fully bored tunnel option commissioned by HS2.

Moreover, HS2 Ltd has not taken into account the value of the many benefits, both market and non-market, which a fully-bored tunnel would bring, such as the money saved by not having to compulsorily purchase properties and land, or compensate for blight, or move electricity pylons; by reducing the adverse health impacts on Local Residents; by having a lesser impact on local business and tourism; and by not damaging the environment. These benefits are estimated at over £500 million.

For the foregoing and connected reasons your Petitioner respectfully submits that the case for a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover is overwhelming, and unless the
Bill is amended by the inclusion of such a tunnel then the Bill should not be allowed to pass into law.

Mitigation for construction of a fully-bored tunnel

If a fully-bored tunnel is included in the Bill, your Petitioner proposes that at least the following mitigation be adopted for its construction:-

That the operation of construction traffic on the A413 and the B4009 only be permitted during the agreed working hours, excluding rush hour (7-9am and 5-7pm), on weekdays.

That the number of construction vehicles using local roads be limited, and at all times be such as not to inconvenience other road users.

That the removed spoil should not be permitted to be dumped in the Chilterns AONB, and that all spoil should be removed by rail, not road.

That a traffic management plan be agreed before construction starts with the local county, district and parish councils, such plan to go to arbitration if agreement cannot be reached.

That the permitted working hours for all matters relating to construction be strictly limited to 8am to 6pm on weekdays, 8am to 1pm on Saturdays and not at all on Sundays, with an hour before and after for start-up and close down.

That acceptable noise levels be agreed before construction starts with the local county, district and parish councils, such noise levels to go to arbitration if agreement cannot be reached.

That noise levels be monitored on a frequent and regular basis by an independent organisation, with the result of such monitoring being immediately made public.

That artificial lighting at construction areas be limited to working hours.
That a full hydrological survey be carried out to determine if the current route is viable or whether it should be moved to a more suitable location.

That the maximum level of toxic traffic emissions from construction traffic be agreed with the local county, district and parish councils before construction starts, such emission level to go to arbitration if agreement cannot be reached.

That funding be made available to Wendover Health Centre and local hospitals for the provision of any necessary additional facilities to cope with increased health problems, such as sleep disturbance, respiratory illness and hypertension, and including those caused by traffic emissions and dust created by the construction of the scheduled works.

That funding be made available to the local police force for increased staffing likely to be required due to the advent of a substantial construction workforce.

That full compensation for damage to property or loss in the value of property or business caused by construction of the scheduled works be available to all those who suffer such damage or loss irrespective of distance from the line.

That the opportunity is taken during the construction works to replace overhead electricity pylons with underground ones, which would have a positive impact on the area.

That the maintenance loop at present proposed to be located to the north of Wendover be moved to an area where there are much larger permanent works scheduled.

That the Code of Construction Practice, and regulations and agreements dealing with all the above matters in paragraphs 43 to 57 be legally enforceable both at criminal and civil law, with civil law breaches being first dealt with by an Ombudsman, and the local county council having the right to bring both criminal and civil proceedings.

Mitigation for the operation of the line
If the line does go ahead, the following mitigation is proposed for the operation of the train;-

That the speed of the trains be reduced as per the recommendation of the House of Commons Environmental Audit Select Committee Report, in order to help reduce the environmental impact.

That there be a legally enforceable noise limit covering the whole of Wendover and Dunsmore with substantial penalties for breach.

That full compensation for damage to property or loss in the value of property or business caused by the operation of the line be available to all those who suffer permanent blight due to such damage or loss irrespective of distance from the line.

That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow quickly to at least forty feet high, in order to conceal the line from view at the earliest possible time.

That, based on the example of HS1, a Community Fund of at least £25 million be established for the benefit of Wendover, Dunsmore and Halton, none of which would benefit from HS2 in any way whatsoever.

Your petitioners propose that a fully bored tunnel through the AONB and running underneath the Coombe Hill aquifer would be an effective solution to all the construction and subsequent phase impacts.

2. The prayer

Your petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc

Signed

Ronald Petersen Chairman Wendover HS2 (Agent)

Date- 16-04-16
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF

NICK PHILLIPS

Declares that:

1. The Petitioners are specially and directly adversely affected by the whole Bill.

2. Your petitioner

The Petitioners are residents of Wendover Parish, being part of the Chilterns Area of Outstanding Natural Beauty (AONB). They will be specially and directly affected by the Bill for the proposed HS2 line both during construction and after completion.

The Petitioners are injuriously affected by the Bill, to which your Petitioners object for reasons, amongst others, hereinafter appearing.

3. Your petitioner’s concerns

The Petitioners concerns during the construction phase can be summarised as:

the adverse impact on the local road network causing delays in travelling to work and accessing emergency services; the reduction in customers and other visitors wanting to come to Wendover businesses causing local unemployment; the reduction in property values for owners seeking to realise investments in their homes; and the noise, dirt, and Public Right of Way disruption that will be generated by the works.

The Petitioners concerns during the operational phase can be summarised as:

the disruption to sleep caused by obstructive noise generated by passing trains in late evenings and early mornings; the visual impact of the proposed Small Dean Viaduct and associated embankments with noise barriers reducing the appeal of this part of the AONB; and associated impact on property values and local businesses for current and future generations.
Petitioners have additional concerns about the construction of the Green Tunnel, and the associated impact on the Coombe Hill aquifer that feeds the Grand Union Canal and Weston Turville Reservoir SSSI. The key concern relates to currently undefined requirement to add reservoirs, pipelines and a pumping station to mitigate the damage caused by extensive interception of the aquifer; and the associated extension of the construction costs and timescale in the Wendover area which could be avoided by redesign.

The petitioners propose that a fully bored tunnel through the AONB and running underneath the Coombe Hill aquifer would be an effective solution to all the construction and subsequent phase impacts.

4. The prayer

The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

SIGNED

Ronald Petersen (Agent)

APRIL 2016
TO THE HOUSE OF LORDS
SESSION 2015-16

PETITION against the

High Speed Rail (London-West midland) Bill

THE PETITION OF OSWALD DE SYBEL

Declares that

1. The petitioner is specially and directly adversely affected by the whole Bill.
2. Your petitioner is 66 years old and lives with his wife at Small Dean End Small Dean Lane Wendover Bucks HP22 6PQ.
3. Your Petitioner’s concerns.

The Bill would authorize the construction and operation of the railway through and near Wendover. The proposed line would run within 700 metres of your Petitioner’s property which property is also situated approximately 500 metres from the relevant section of the A413 road required for the proposed development. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken in and near Wendover between Little Missenden and Stoke Mandeville. These works consist mainly of an embankment between Hartley Farm and Road Barn Farm; Small Dean viaduct; and an embankment between the northern end of Small Dean viaduct and the southern end of the Wendover green tunnel. They include ancilliary works such as satellite work compounds, auto-transformer stations, balancing ponds and portal buildings.
turn could present a serious threat to the health of our grandson.

If the HS2 project is to be realised, then your petitioner would propose that part of the scheduled works as described above, be replaced by a fully bored tunnel throughout the Chilterns, and that the Hybrid bill be amended accordingly.

In this regard, HS2 has accepted that a longer tunnel through the Chilterns is feasible:

In terms of construction and railway operation,

Can be built within the necessary timescales,

Would provide significant environmental, social and business benefits and

Is environmentally preferable to their scheme.

Your petitioner considers that all these concessions are consistent with the Government's vision for sustainable development underpinning the UK's 2005 Sustainable Strategy, which your petitioner also believes, would therefore justify the comparatively small additional costs involved through the construction of an extended tunnel.

4. The Prayer.

The Petitioner therefore asks the House of Lords that your petitioner, in accordance with the rules of the Standing Orders of the House, be given an opportunity to give evidence on some of the issues raised in this petition to the Select Committee which considers this Bill.

Oswald de Sybel

15th April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Sarah Green on behalf of Arthur Daily Trips (Canal boat company).

Declares that:

The petitioner is specially and directly adversely affected by Clauses 29, 30 and 31 and Part 4, Canal and River Trust.

Your petitioner

The petitioner is Sarah Green. She runs a small passenger boat business called Arthur Daily Trips, operating a luxury, purpose built passenger boat called Arthur on the Grand Union Canal (GUC) in the destination location of the countryside in the Colne Valley, West London. In 2015 Arthur Daily Trips was rated 3 in the top things to do in Uxbridge on the Trip Advisor website. Arthur Daily Trips conducts skippered and hosted cruises for private hire. Our customer base includes faith groups, older people’s groups, families celebrating special occasions, staff groups from local businesses, groups of tourists and London residents who want a taste of the countryside in the Green belt on the edge of London. Specific trips that we host include: Countryside cruises from the Swan and Bottle, Uxbridge to Widewater Lock (Moorhall Road Harefield) return, the Fish and Chip shop run, again from Swan and Bottle to Widewater Lock return, Cruise to a view, Swan and Bottle to Black Jacks Lock, Old Orchard pub, return and customised country cruises that include canal side picnics and nature walks in adjacent nature reserves. On all of these trips land on both sides of the canal for approximately a mile is deemed to be within the Act limits and subject to destruction of trees, other vegetation clearance and wildlife and habitat loss.

Your petitioner’s concerns

Your Petitioner is concerned that the construction and operation of the high speed railway and associated development at the Colne Valley, specifically the banks of the Grand Union Canal through Denham Country Park, poses a risk to the commercial and employment activities undertaken by Arthur Daily Trips. Our commercial activities are of an echo-tourist nature directly serving passengers wishing to experience closeness to nature, tranquillity and beauty of the waterways in the Colne Valley. The amount of canal side land within Act limits is unreasonably extensive. Canal boats travel slowly, especially passed moored boats and in wildlife settings approximately 2 miles per hour. Passing HS2 building site environments on both the Hillingdon side and South Buckingham side of the canal for half an hour on the outward journey and half an hour on the return journey will eliminate countryside cruising within the Colne Valley. This will directly and adversely affect the business of Arthur Daily Trips.

Clause 29 takes away protection from common land and green spaces for all land that falls within the limits of the Act. It is unreasonable that so much countryside beside the canal is covered in the Act.
Clause 30 takes away protection for trees and trees in conservation areas. It is particularly unreasonable that so many canal side trees are included within the limits of the Act. The mile of trees in question currently flourish on both the Hillingdon and South Buckinghamshire sides of the Grand Union Canal, they provide delight to human senses, and spiritual, physical and emotional environment that supports human well being and closeness to nature. This area of canal is teeming with wildlife, many species of dragonfly and small fish breed within tree roots on the offside of the canal and wildfowl including shovellers, gadwalls, geese, swans and other ducks regularly share the waterway with our passengers. The canopies of mature green vegetation both sides of the canal provide roosting habitats for numerous song birds who provide the soundscape for the countryside trips.

The following enactments have protected and enabled this beautiful setting to develop over many years and it is unreasonable that they be taken away: (a) an order under section 198(I) or 202(I) of the Town and Country Planning Act 1990 and regulations under section 202A(I) of that Act (tree preservation orders), and (b) section 211(I) and (5) of that Act (preservation of trees in conservation areas).

Clause 31 takes away all previous controls on protection of land when rerouting utilities. In this Bill large stretches of canal side land are targeted for redirection of utilities and the installation of such will incur great loss of natural environment for leisure, pleasure and echo-tourist boating activities.

Clauses 29, 30 and 31 should not be passed on lengthy stretches of canal side land immediately adjacent to the GUC in the Colne Valley because environmental (ecological) sustainability has implications for the economic sustainability of local eco-tourism and specifically of Arthur Daily Trips. In the Colne Valley the HS2 project should be developed to ensure both economic and environmental sustainability for all business sectors and not just transport.

Agenda 21 (UNCED, 1992b) views tourism of a form of land use that is potential significance for improving both the economic and environmental sustainability of a region.

The World Summit on Sustainable Development (Johannesburg, 2002) placed ecotourism development for the preservation of biodiversity as one of its five major areas of action. Eco-tourism and bio-diversity has been given misleading and trivial regard within the act.

Within the Colne Valley, plans need to be revised so that long sections of GUC are not ruined for current and future use in the leisure, pleasure and eco-tourism sectors.

Part 4 Canal and River Trust 42 (3) (a) (b) and 43 are misleading and unreasonable.
In answer to Arthur Daily Trips’ Commons petition, HS2 indicated that Canal and River Trust were dealing with all canal matters and that there was no necessity for individual business or leisure and pleasure customers to petition. Part 4, Canal and River Trust shows that this is not the case. CRT are a trust with specific aims of protecting waterway environments, protecting spaces where people can interact with nature, next to soothing water. The first statement on CRT website reads ‘We love and care for your canals and rivers because everyone deserves a place to escape to.’
This is especially true in the Colne Valley which is the Greens lungs on the edge of London. Part 4 of the Act, 42 (3) (a) (b) and 43 puts CRT in an untenable position as the Bill states that approval for plans must not be unreasonably withheld by CRT. From the perspective of CRT business and leisure and pleasure customers it would be unreasonable for CRT to gives permissions that are in contravention of CRT mission and value statements.
The prayer

The petitioner therefore asks the House of Lords that she, or someone representing her in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains,

SARAH GREEN

Proprietor of ARTHUR DAILY TRIPS
To the House of Lords  
Session 2015–16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF: THE COUNTRY LAND AND BUSINESS ASSOCIATION LIMITED ("THE CLA")  

Declares that:  

1 Your Petitioner and its members are specially and directly adversely affected by the whole Bill.  

Your petitioner  

2 Your Petitioner is the Country Land and Business Association (CLA), a membership organisation for owners of land, property and businesses in rural England and Wales that seeks to ensure the positive development of the rural economy in the interest of its members. The CLA currently has approximately 33,000 members, many of whom own or occupy land on the line of the route of the proposed HS2 railway or close to it and will be, or already are, directly or indirectly affected by it. Of the 200 or so agricultural holdings affected by HS2, 60 belong to CLA members. These 60 members cumulatively own or manage a total of 14,000 hectares (ha).  

Your petitioner’s concerns  

3 Your Petitioner submits that the Bill does not provide for the fair treatment of landowners whose property is subject to powers of compulsory acquisition or use by virtue of the Bill or is otherwise affected by the proposals that are the subject of the Bill. Many property rights, interests and allied business interests of your Petitioner’s members are negatively affected by the Bill.  

4 Your Petitioner expressed these concerns through a petition against the Bill in the first House and appeared before the Select Committee there. Your Petitioner remains concerned about several matters, and is therefore petitioning again. The particular concerns which your petitioner is pursuing further in this petition are set out below.  

Duty of Care  

5 Your Petitioner submits that a recurring problem with the current system of compulsory purchase and compensation is that it is unnecessarily adversarial. There is currently no express obligation on acquiring authorities to treat fairly claimants who are affected by compulsory purchase and the construction and operation of schemes. Your Petitioner seeks an undertaking from the Promoter that he will accept a general duty of care to those affected.  

6 Your Petitioner submits that such a general duty of care should be included on the face of the Bill. Such a duty of care would include an obligation to minimise as far as reasonably practicable the acquisition and temporary occupation of land of third parties, an obligation to minimise the impact of the scheme on affected businesses, an obligation to consult with affected persons before and during any process of compulsory acquisition and an obligation to pay fair compensation promptly.
The general duty of care should also include an obligation to consult with landowners regarding the location of land used for environmental mitigation. The Promoter should work with landowners to ensure that compensatory habitat is located on the most appropriate land. Landowners should also be given the opportunity to retain the long-term management of the land where compensatory habitat has been located should they wish to do so.

Your Petitioner submits that an ombudsman or other independent party should be appointed to ensure that the duty of care is implemented and duly observed. The ombudsman would be able to hear and adjudicate on disputes between the Promoter and landowners. The ombudsman should have powers to enforce obligations on the Promoter and award costs against the Promoter. The ombudsman could also rule on the value of a compensation claim for the purposes of advance payments, pending any final agreement on compensation or determination by the Upper Tribunal (Lands Chamber).

**Capital Gains Tax**

Rollover relief from Capital Gains Tax is available where business property is compulsorily acquired and the sale proceeds are used to invest in another asset used in a trading business within one year prior to the acquisition or three years after it.

The principle of relief is sound, but these timescales are too short in the context of rural businesses, which face particular challenges in finding appropriate replacement land assets. If various landowners in the same geographical area have had their land acquired, there will be a greater demand for replacement land in the vicinity. It can often take many years for neighbouring land that would be suitable for the exercise of roll over relief to come onto the market. Whilst HM Revenue and Customs (HMRC) does have the discretion to allow extensions to these time limits, there is nothing compelling them to do so, it is up to each individual to justify the request and HMRC to decide on each. This creates uncertainty which is unnecessary on top of the financial impact of the scheme itself.

Your Petitioner seeks greater recognition of this issue by making the relief available immediately and after acquisition until a qualifying purchase is made, however long that might take. Alternatively, your Petitioner seeks from the Government a dispensation for its members from this unjust imposition of taxation as direct result of the scheme.

**Inheritance Tax**

In addition land temporarily used for the scheme and compensation received for land taken risk being subject to inheritance tax at 40% should the landowner die during the course of the project or before reinvestment has been made. Agricultural businesses are usually protected from inheritance tax through agricultural property relief and business property relief. If, however, a landowner were paid compensation for the compulsory acquisition of their land, but died before it was possible to invest this in a replacement asset, the compensation received would be subject to inheritance tax.

Your Petitioner seeks that exemption from inheritance tax is applied in circumstances where liability to pay inheritance tax has arisen as a result of the scheme. Alternatively, your Petitioner seeks that compensation should be paid by the Promoter for any inheritance tax liability which has arisen in respect of the scheme.
**Permanent land take**

14 Your Petitioner submits that the Promoter should look for ways to minimise the land take necessary for the implementation of the scheme, in order to comply with established policy and Convention rights that private property should not be acquired compulsorily unless there is a compelling case in the public interest to do so. Where the Promoter is challenged as to the extent of land required, the onus should lie with him to prove the need for it.

15 Where the proposed land take is already shown to be unnecessary, it should be curtailed now by the Promoter agreeing to omit from the scope of the Bill the parcels of land that are not required. Where land is included in the Bill, but is later found not to be needed, it should not be compulsorily acquired. Where land is compulsorily acquired, but is later found not to be needed, it should be returned to its former owner if the owner so desires.

16 Your Petitioner is also concerned that the Bill provides for the acquisition of a large amount of land for the purposes of environmental mitigation. In many instances, the choice of land for this purpose has been ill-considered and has been chosen without adequate (or, in some cases, any) consultation with the owner or occupier of the land. Moreover, the Promoter has had insufficient regard to the current operational value of much of this land to the business. Your Petitioner is concerned that many of its members are being unfairly required, by the compulsory purchase of their land, to pay for the environmental cost of the project.

17 Your Petitioner submits that the Promoter should be required, before acquiring land compulsorily for environmental mitigation, to demonstrate why the current landowner should not retain ownership of it, that the mitigation in question is essential in scale and location, how it will be managed satisfactorily and that it has not been possible to obtain the use of land, for that purpose, by agreement.

18 Your Petitioner is concerned that the Promoter is proposing to take land permanently which it only intends to use temporarily. This is inconsistent with the principle that compulsory acquisition powers should only be exercised proportionally and where there is a compelling need in the public interest. In particular, the Promoter is proposing to apply an "economic test" in deciding whether to acquire land temporarily or permanently. This is a departure from the usual test which apply. It is intended to permit outright acquisition on grounds of cost in circumstances where, on usual principles, it would not be justifiable. The test is defined in such a way as to make it too easy for the Promoter take land outright if he so wishes. Your Petitioner strongly objects to the primary principle of compulsory purchase being subverted in this way.

**Clause 48**

19 Your Petitioner objects in particular to the provisions of clause 48 which makes provision for the compulsory acquisition of land anywhere outside the limits of deviation for the purposes of regeneration. This provision is wholly unprecedented. It is not essential for the implementation of the proposed scheme but has the potential to increase significantly the amount of land taken. It would also unjustly enrich the Promoter at the expense of the landowner. The power is also unnecessary because local authorities already enjoy equivalent powers, and these are subject to an appropriate degree of regulation. Your Petitioner contends that no adequate justification has been given for such a radical departure from current norms and submits that it should be omitted in its entirety. Besides, where land belonging to your Petitioner’s members is suitable
for regenerative development, your Petitioner's members should themselves be free to seek or participate in such opportunities.

Exemption in respect of business rates / council tax

20 Where tenanted premises fall vacant as a consequence of the scheme, the owner has to pay to the business rates or council tax and other outgoings that would otherwise be paid by the tenant. Your Petitioner submits that the Promoter should cover these costs for landowners as they arise.

Voluntary schemes applicable to all interests

21 The Promoter has agreed to implement various voluntary compensation schemes that provide compensation beyond the requirements of the law. Your Petitioner welcomes this initiative, but the proposed schemes are unfairly restrictive as they will, for example, apply only to owner-occupiers. Your Petitioner seeks a commitment from the Promoter that he will expand the scope of these voluntary schemes so that they apply to all property types, whether freehold, owner-occupied or tenanted.

Loss payment ceilings

22 The Compensation Code provides that certain landowners are entitled to 'loss payments' of 10% of the value of their interest that is compulsorily acquired, but this is subject to a cap of £47,000 (home loss) or £100,000 (other types of land). These payments are designed to cover the costs of moving to new premises, which are often higher in the case of higher value property. The caps are, your Petitioner submits, unfair arbitrary limits that result in some landowners being unable to recover all their costs. Your Petitioner seeks a binding undertaking from the Promoter that he will make uncapped loss payments to all otherwise eligible landowners regardless of the value of the property in question.

Compensation for long term additional losses

23 Land drainage and subsidence problems caused by works and compulsory purchase often do not become apparent until after full and final settlement on compensation has been reached between a landowner and the acquiring authority.

24 Your Petitioner seeks a commitment from the Promoter that he will provide further compensation where drainage problems caused by HS2 become evident, even if 'full and final' settlement has already been reached, in cases where the landowner could not reasonably have known of the latent problem at the time of the settlement.

Severance

25 Your Petitioner also seeks a commitment that any severance of land will not restrict an owner's ability still to run apparatus and conduits for cables between different (severed) parcels of land. A landowner should be allowed to retain this right (on terms that protect the safety and the integrity of the railway) and to be able to exercise it without having to pay any premium, licence or fee for the exercise of the right. If this right were not retained, the future use of the severed land could be compromised. Your Petitioner asks that in cases of severance the Promoter (at no cost to the landowner) lay conduits through which cables, or pipes could be run to facilitate the future unrestricted use of the severed land. Alternatively, your Petitioner seeks an
assurance from the Promoter that it will not restrict the laying of such conduits by the landowner or impose any premium, licence or fee on the landowner.

Replacement of essential buildings

26 Where landowners have buildings needed for their business that are to be taken compulsorily, it may not be possible to use the compensation received to replace them in a location that is useful to the landowner, owing to planning constraints in the area. In these circumstances, monetary compensation alone is unlikely to be a satisfactory remedy. The landowner needs to replace the building that has been taken and may even own land that would be suitable for the replacement building but he may be prevented by planning controls from doing so.

27 Your Petitioner seeks a commitment from the Promoter to improve the position for landowners in this situation, for example by seeking an amendment of the rules for permitted development for this scheme under the Town and Country Planning (General Permitted Development) (England) Order 2015, to permit a replacement building where this is possible.

28 If a relaxation of permitted development rights as such is not the best solution, Government should use all other means available to it (e.g. through updated planning policy) to ensure that, subject to the application of appropriate and reasonable conditions, the same outcome is achieved.

29 Your petitioner also seeks a commitment from the Promoter that where a landowner opts to build a replacement dwelling, he will be compensated for the all attendant costs he incurs, including planning fees and Community Infrastructure Levy payments.

Fair compensation

30 Your Petitioner seeks a commitment from the Promoter to seek to acquire land by voluntary agreement wherever possible as an alternative to exercising powers of compulsory acquisition. In negotiations with landowners regarding acquisition of land on a voluntary basis, the Promoter should make a fair offer of compensation taking into account the Department for Communities and Local Government’s “Guidance on Compulsory purchase process and The Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion” (October 2015) (‘2015 Guidance’).

31 Your Petitioner submits that where land is acquired compulsorily, the level of compensation paid should reflect a fair level of compensation that would have been offered if the Promoter were seeking to acquire the land by negotiation and taking into account the 2015 Guidance.

Payment of advance compensation

32 Your Petitioner submits that advance compensation should be paid to landowners as early as possible in the compulsory acquisition process, so that landowners are able to use the compensation received to acquire alternative property before possession is taken by the Promoter.

33 Your Petitioner welcomes the proposed changes in the Housing and Planning Bill which would make advance compensation payable at an earlier stage in the compulsory acquisition process. Your Petitioner wishes to be satisfied that those amendments contained in the Housing and Planning Bill will be implemented in full and that landowners will be compensated for the all attendant costs they incur, including planning fees and Community Infrastructure Levy payments.
Planning Bill which benefit landowners will also be applied to the equivalent circumstances under the Bill.

34 Your Petitioner requests that the Promoter commit to a clear timescale in each case for accepting a claim for compensation and the payment of advance compensation, and demonstrate that it has allocated sufficient resources to ensure prompt payment of advance compensation. The Promoter should not be allowed to take possession of the land until advance compensation has been paid.

35 Your Petitioner remains concerned that advance compensation is based on the acquiring authority's estimate of the value of the claim where agreement as to the level of compensation cannot be reached. There is evidence that this disadvantages claimants, as acquiring authorities tend significantly to underestimate the value of the claim. To ensure that a fair level of compensation is delivered your Petitioner seeks a binding commitment from the Promoter that he will implement a scheme whereby an ombudsman or other independent party can rule on the appropriate estimate of the compensation and adjudicate on any dispute over non-payment.

**Interest on compensation**

36 Your Petitioner urges that the interest payable on late payments of advanced compensation should be at a rate of 8% above Bank of England base rate. This is would help to ensure that advance payments are made promptly.

37 Your Petitioner also urges that the interest payable on the remaining compensation to be paid at 4% above Bank of England Base rate which reflects the true cost of borrowing to a rural business.

**Conclusion**

38 Your Petitioner respectfully submits that the Bill should be amended as proposed above, or the undertakings or assurances described above should be given.

**Prayer**

39 Your Petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioner remains, etc.

BIRCHAM DYSON BELL LLP
Parliamentary Agents for the CLA

18 April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF: THE COLESHILL ESTATE

Declares that:

1 The petitioners are specially and directly adversely affected by the whole Bill.

Your Petitioners

2 Your Petitioners are the trustees of the Wingfield Digby Settled Estate Trust, the trustees of the John Wingfield Digby Will Trust, the trustees of the John Wingfield Digby Children's Trust, K Edward Wingfield Digby, the trustees of the Coleshill 1978 Settlement, the trustees of the RF Wingfield Digby Trust, The trustees of the Brickfield Settlement and the partners of the Brickfield Farm Partnership, Arabella Venetia Jane Bird, Jacquetta Anne Hardy, Georgina Charlotte Hardy and Henrietta Diana Alicia Hardy, collectively referred to for these purposes as “The Coleshill Estate”.

3 Together, your Petitioners own land and property known as the Coleshill Estate (“the Estate”), of which several parcels are affected by the Bill. The Estate extends to some 728 hectares (ha) (1800 acres) which has been held in the same family ownership since 1496 (520 years).

4 The Estate includes seven farms, of which four will be severely affected by the Bill, 14 residential properties, a Grade II Listed farmhouse with planning permission for a 40 bedroom hotel and other commercial premises supporting local businesses.

5 Approximately 4.3 kilometres of the proposed railway will be built on estate land which is located in greenbelt in a “transport corridor” between the towns of Coleshill and Chelmsley Wood on the eastern edge of Greater Birmingham. The total land area required in the construction phase is estimated at 162 ha (402 acres), 22% of the whole estate, although how much of that will be acquired permanently has still not been accurately defined by HS2. Of that, approximately 20 ha (49 acres) comprise the land area for the railway and essential infrastructure and about 49 ha (120 acres) is so far confirmed as permanent land take for mitigation.

6 Previously, land on the estate has been compulsorily acquired for the construction of the M42, M6 and M6 Toll roads. Whilst your Petitioners consider the impact of the HS2 proposals on a rural estate of this size to be unprecedented, the capability of the estate to offer solutions to the development and mitigation of a key part of this scheme is also significant.

Your Petitioners’ concerns

7 Whilst your Petitioners accept that the construction and operation of the proposed HS2 railway will inevitably encroach upon the Estate, your Petitioners contend that the proposed powers and the extent of permanent and temporary land acquisition are excessive and that inadequate
provision is made to avoid, where practicable, adverse impacts upon the Estate and to mitigate these where they are unavoidable.

8 Your Petitioners pursued their concerns through a petition in the First House. As a result, your petitioners were able to reach agreement with the Promoter on some issues but not on others. The written form of the agreement is expected to be finalised and signed shortly. If for any reason the agreement is not concluded, your Petitioners will wish to appear before your Lordships on all the issues previously raised. The principal purpose of this petition, however, is to set out your Petitioners' continuing grievances in respect of the issues on which no agreement has been reached.

**Compulsory purchase of Plots 91 and 91a (land at Brickfield Farm, Coleshill Heath Road)**

9 Part of the Estate land that is to be compulsorily acquired is 33,130 square metres of good quality agricultural land at Brickfield Farm (Plots 91 and 91a in the Book of Reference deposited with the Bill). This land is not required for the railway or any associated works. It is to be taken to replace a much smaller area of open space at Heath Park. Your Petitioners contend that this compulsory acquisition offends the primary principle of compulsory purchase that there must be a compelling need for it in the public interest. It also offends the principles of proportionality and equivalence, for the acquisition proposed is also grossly excessive.

10 Heath Park comprises approximately 80,350 square metres of publicly owned land, although only 47% per cent of it is used by the public. It belongs to Solihull Metropolitan Borough Council ("the Council"). Under the HS2 scheme, there is to be a net loss of 8,150 square metres of the park. The Promoter proposes to replace it with four times as much land taken compulsorily from your Petitioners.

11 The Promoter intends to occupy a larger area of Heath Park temporarily but this can be later returned to the Council and so again this does not justify the permanent acquisition of your Petitioners' land.

12 Your Petitioners contend the Promoter has failed to observe the terms of his own declared policy in HS2 Information Paper 3.6: Mitigation of Significant Community Effects on Public Open Space and Community Facilities. Under this policy, the Promoter is expected to take various steps to mitigate both temporary and permanent loss of open space or community facilities. Until he has done so and it has been established that the mitigation that is possible will not be sufficient, there can be no justification for taking your Petitioners' land. There is no evidence that the Promoter has sought to mitigate the loss in the specified ways under his own policy. An example would be to make better use of the 53% of Heath Park that is currently unused by the public.

13 A disconcerting feature of the way the proposal has come about is that the Promoter negotiated it with the Council without also consulting with the Estate or even informing them about it. Your Petitioners knew nothing of it until a deal with the Council was effectively done. Your Petitioners can only infer that it was the Promoter's deliberate strategy to present your Petitioners with a fait accompli. If this is so, your Petitioners think it falls well short of the standard to be expected of a public authority. Any such agreement in this situation is, however, always subject to the will of Parliament. Your Petitioners therefore urge your Lordships to give the proposal the closest scrutiny and, if the Promoter (on whom the onus of proof falls) fails to make an adequate case for the compulsory purchase, to disallow it.
In considering whether the compulsory purchase is justified, your Petitioners also invite your Lordships to take into account not just the private interest but also the public interest in losing (unnecessarily, your Petitioners contend) good quality farm land that contributes to the sustainability of the environment and the local community and economy.

Your Petitioners also challenge the Promoter on his or the Council's intended use of the land and whether it is appropriate, practicable and cost effective. The intended use of the land has never been made clear to your Petitioners.

Your Petitioners therefore strongly object to this element of the HS2 scheme and urge your Lordships to determine that the powers under the Bill to take or use land compulsorily should not apply to your Petitioners' land at Brickfield Farm.

Your Petitioners are willing to engage with the Promoter and with the Council to explore other solutions that may be acceptable.

Permanent versus temporary land take and the "economic test"

Your Petitioners have been concerned at the extent to which the Promoter has been proposing, or retaining power, to take land permanently when he only needs it for the HS2 scheme temporarily. The Promoter has given some assurances in this regard but in one serious respect the proposals remain weighted inappropriately in favour of the Promoter. During the passage of the Bill in the first House, the Promoter introduced a new and novel condition or test that is to apply before the Promoter will agree not to take certain land permanently, even though he does not require it permanently. The test is that it is ‘economic’ for the Promoter to take the land temporarily.

This new condition was introduced by an update to the Promoter's Information Paper C4: Land Acquisition Policy. Whereas conventionally, and under general compulsory purchase principles, whether land may be taken permanently or not depends upon whether the Promoter needs it permanently, he has now introduced a condition that, if it is less costly for him to take land outright, he may do so. It appears that the Promoter has adopted this course as result of an extreme case where an acquiring authority had to pay much more in compensation for temporary possession of land than it would have done for acquiring it because the authority's possession of the land caused the owner to suffer from protracted loss of development value.

Although this new approach defies all previously established practice and should not be necessary, except possibly in extreme situations, the Promoter is favouring himself with a disproportionately blanket approach to the point. At the very least, the Promoter should, when calculating which course is less costly for him, leave out of the equation the sum he will receive upon reselling the land he will no longer require. An additional or alternative approach would be for subsequently ascertained deferred development value to be excluded from the compensation payable for temporary use of Estate land.

Your Petitioners therefore urge your Lordships to direct the Promoter to modify his policy by restoring the practice to that which has always applied, save possibly in the most extreme cases. Otherwise, this new policy will become established as an all pervasive precedent when it is unwarranted.
Land disposal policy

22 The terms upon which land that is found to be surplus to the Promoter's needs may be returned to the landowner is set out in Information Paper C6: Disposal of Surplus Land. This modifies the usual rules that apply in this situation - the Crichel Down Rules - which are themselves outmoded, giving the Promoter even greater discretion than previously as to when surplus land may be offered back. Your Petitioners consider this to be unnecessary, unfair and unreasonable in severable respects. The land disposal policy set out in Information Paper C6 should be amended.

23 By way of example, your Petitioners should be given a commitment by the Promoter to offer back to the Estate surplus land even where the land has materially changed and where the land has acquired development value when in the Promoter's ownership; and in the context of the Estate, where land is owned by different members of a family and by Trustees, the expression 'former owner' should be interpreted more liberally.

Severance

24 At present, the Estate is entitled to run pipes, drainage, apparatus, conduits and cables between any parts of the Estate. When the Estate is divided by the railway, this entitlement will cease and it will not be adequately compensated for in practice under the statutory compensation code because the code does not contemplate the railway undertaker demanding a premium for crossing above or below the railway once it has been constructed. Yet in practice, this is what happens, for example in the case of Network Rail in respect of its infrastructure. If your Petitioners wish to form a new form of connectivity from one side of the railway to the other, provided that there is no cost to the railway undertaker and provided the safety of the railway is not jeopardised, your Petitioners should be allowed to do so without having to pay a 'ransom' sum to cross above or beneath the railway.

25 This could be achieved by the Promoter granting to the Estate at no cost a suitable easement when the land is being acquired or subsequently on request. Your Petitioners submit that this should be a qualification to the Promoter's powers of compulsory purchase.

Prayer

26 Your Petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND your Petitioners remain, etc.

BIRCHAM DYSON BELL LLP
Parliamentary Agents for The Coleshill Estate

18 April 2016
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF:

THE MAGIC CIRCLE
THE MAGIC CIRCLE TRUSTEE LIMITED
THE CENTRE FOR THE MAGIC ARTS LIMITED

Declares that:

1. Your petitioners are: (i) The Magic Circle; (ii) The Magic Circle Trustee Limited; and (iii) The Centre For The Magic Arts Limited, which is a registered charity, all of 12 Stephenson Way, London, NW1 2HD ("the Property"). Your petitioners are specially and directly adversely affected by the whole Bill, in particular clauses 1, 2, 3, 7, 16, 17, 19, 33, 34, 36, 46 and 48 and corresponding schedules.

Your petitioners

2. The Magic Circle is the premier magical organisation in the world of magic and illusion. It has an international membership of around 1500, committed to the promotion and advancement of the art of magic. The Magic Circle was established in 1905, and its clubrooms are used as a regular meeting place of the leading international magicians of today. In this unique setting, The Magic Circle presents shows and special events where the public and invited guests can experience first-hand the atmosphere of 'the home of magic'.

12 Stephenson Way, NW1

3. Your petitioners have either owned or occupied the five-storey property at 12 Stephenson Way since 1998. The Property is used as The Magic Circle's headquarters and as a fully functional theatre. The Property and its contents are on long-term loan from The Magic Circle Trustee Limited to The Centre For The Magic Arts Limited, which operates the Property for The Magic Circle and pursues its charitable objects. The Property has a rear entrance and emergency exit onto Regnart Buildings, accessed from Euston Street, which is also affected by the HS2 scheme. This is the sole premises your petitioners own and occupy.

4. The Property has become an award-winning venue for corporate functions and conferences. It is also used on a regular basis by a social enterprise which is pioneering the use of, and clinical research into, magic as a therapeutic tool for disabled children and adults.

5. The Property accommodates all the activities of your petitioners and includes: (i) a fully equipped 164 raked-seat theatre used for both public and private performances carried out during the day and in the evenings; (ii) a unique heritage library and museum containing a collection of highly important, extremely valuable, and in many cases fragile and irreplaceable
props, artefacts, posters and books relating to the history of magic; (iii) multi-functional meeting and club rooms; (iv) a café; and (v) reception areas.

6 Many rare and irreplaceable props are in display cases throughout the Property. The library contains approximately 10,000 specialist books, and the museum contains more than 2000 objects with an archive of many photographs and documents. The Property also houses the administrative offices for your petitioners. Furthermore, the Property is open to the public: to attend magic shows; to use the premises for a variety of events; and to carry out research in the library and museum. The Property is a world-renowned centre of excellence devoted to promoting and preserving magic as a performing art.

7 Since your petitioners bought the Property in 1998 through voluntary fundraising and contributions from The Arts Council and others, The Magic Circle has renovated and tailored the building to its specific needs at significant cost. This work included development of the facilities described above.

Earlier attempts to raise concerns

8 Your petitioners petitioned against the Bill in the first House but their concerns have not yet been satisfactorily addressed. The select committee in the first House itself acknowledged that your petitioners’ concerns would have to be addressed while the Bill is before your Lordships’ House.

9 Your petitioners are also a member of the group of like-minded petitioners located close to them in Euston and facing similar threats to their properties and undertakings, known as the Stephenson Way/Gordon Street Group Petitioners or the Stephenson Way Community Group, which petitioned in the first House and is petitioning again in your Lordships’ House. Your petitioners request that this petition be read in conjunction with the group’s petition, which spells out some of the issues in greater detail than here.

10 Your petitioners’ interests are injuriously affected by the Bill, to which your petitioners object for the reasons detailed below.

Your petitioners’ concerns

Disruptive works adjacent to, and in the immediate vicinity of, the Property

11 Substantial utility diversions are to be carried out in Stephenson Way and in Euston Street. They will cause intrusive noise and vibration.

12 The Euston Station works will be taking place almost immediately behind the Property on a huge scale. They will include demolitions, deep excavations, construction of a new station ‘box’; railway works, and new large-scale building including oversite development. A works compound is to be located very close to the Property in Cobourg Street, which will be used for carrying out the construction of the station works and for the storage of materials and equipment required for carrying out the works.

13 The neighbouring property, Wolfson House, with which the Property shares a party wall, is to be demolished. The party wall will be exposed. A deep ventilation and escape shaft serving the Northern Line is to be constructed on this site. The footings of the Property may be jeopardised.
The Property will be at risk from the erection, operation and dismantling of a crane and from its over-sailing above the Property. This could potentially prevent your petitioners from fulfilling one of their ambitions during the HS2 construction period – constructing an additional floor to the Property.

Protective works, such as underpinning, may also have to be carried out. Works to prevent water ingress caused by the effect of the HS2 works on the local water table may also be necessary.

**Access issues**

The works are likely to necessitate partial closures of Stephenson Way, Cobourg Street and Euston Street. Access to the properties will certainly be impeded. Stephenson Way will become a cul-de-sac for approximately eight years with no turning facilities provided, especially for goods vehicles and coaches which frequently serve all the properties in the street. Vehicles will therefore have to reverse the length of Stephenson Way when they enter or exit. Your petitioners have serious reservations about the safety aspects of the promoter's proposals to which they object most strongly.

Your petitioners contend that it must be possible to maintain a pedestrian way between Stephenson Way and Euston station throughout the construction period. They request that this be a guaranteed feature of the scheme.

Signage and way-finding should be agreed with your petitioners and then be provided and maintained by the Promoter and the nominated undertaker at and in the vicinity of the Property in order to direct pedestrians to the Property.

**Summary of impacts**

Thus, although the Property is not to be compulsorily acquired under the powers of the Bill, it stands to suffer very substantially from works being carried out around it on three sides and above it. The works, whether individually or in combination, could render occupation of the Property so intolerable and will have such a serious impact on its use and amenity that they will threaten the viability of your petitioners' undertaking at the Property. Your petitioners could be facing intermittent and long term closures, with all the attendant reputational and financial losses that would flow from that.

Without adequate safeguards, the Property and your petitioners' undertaking there are at risk of suffering in the following ways:

- building damage;
- water ingress;
- damage to important archives, library, collection and artefacts;
- service and delivery interruptions;
- intolerable noise and vibration, dust and dirt;
- impaired air quality;
- deterioration of amenity;
- impaired access;
- decline in visitors;
- cancellation of performances and other events;
• discontinuance or disruption of events programme;
• charitable activities reduced;
• reputational damage;
• curtailment of plans for future (including building plans);
• increased maintenance costs;
• increased insurance costs;
• higher staff turnover;
• personnel time spent liaising with HS2 and coping with disruption;
• additional professional fees;
• additional health and safety risks;
• threat to financial viability; and
• financial loss.

Even this list may not be exhaustive. All these impacts are predictable.

21  The cumulative effect of the HS2 works and other related projects in the same vicinity will make the position even worse. This should be taken into account when planning the HS2 works and how best to mitigate their impact on your petitioners.

*Period of disturbance*

22  The works at Euston are estimated to take some eighteen years to complete. By any measure, even for major infrastructure development, this period of disturbance for those affected is exceptional. It only serves to magnify and exacerbate the detriment your petitioners will suffer. Some of the works are scheduled to take place on a 24 hour/7 day a week basis. This will only compound the problem.

*Flawed environmental statement*

23  Your petitioners are concerned that the Environmental Statement and subsequent Environmental Statement to the third Additional Provisions failed to identify the Property as an especially sensitive receptor for which special mitigation measures or compensation should be made available. Your petitioners believe the Promoter has failed to fully understand the nature and function of the Property. Despite representations by your petitioners to the Promoter to highlight this, only now is the Promoter recognising the extent to which the Property is a sensitive receptor. The Promoter should make amends for this by now addressing the issues more urgently.

*Need to review the construction strategy*

24  Your petitioners contend that in the planning and design of the project so far, the Promoter has failed to have proper and sufficient regard to the likely impact on the Property and your petitioners. The Promoter should review the design and construction strategy for the scheme and its associated works, in order to mitigate the impacts as much as possible.

*Programming and execution of works*

25  The works should be programmed and carried out in such a way as to minimise their adverse impacts on the Property and your petitioners. The Promoter should satisfy your petitioners that
the nominated undertaker will adopt working methods (including choice of machinery and equipment) to achieve this.

26 The Promoter should ensure that arrangements are made for continuing and satisfactory liaison with your petitioners before and during the construction period and your petitioners' views and requests are taken fully into account.

27 The Promoter should ensure that current utilities serving the Property are not severed and that, if there has to be any interruption to any service, it will not occur without prior consultation with your petitioners and then adequate notification to them.

28 The Promoter should agree with your petitioners how the impact of the works on the Property should be monitored. This should include agreeing with your petitioners thresholds that should not be exceeded and the form of compensation that will be provided if a threshold is exceeded.

Coburg Street compound

29 Your petitioners are advised that the works could be planned and implemented without the proposed Coburg Street satellite compound. Your petitioners request that this be removed from the plans.

Crane over-sailing

30 The power given to the nominated undertaker in clause 17 of the Bill to use airspace above the Property for the over-sailing of a crane is too wide. It does not contain conditions or other terms that would ordinarily apply in these circumstances and should apply in this case.

31 When a crane contractor needs or wishes to over-sail a crane over another person's property, it is standard industry practice for the crane operator to indemnify the property owner for any loss or damage suffered as a consequence of the crane being there. Your petitioners should therefore be properly indemnified for any loss or damage caused by or resulting from any crane over-sailing the Property. This is no more than the Promoter or nominated undertaker would demand if a third party applied to over-sail a crane above their undertaking. The provision in clause 17 for compensation is not sufficient.

32 Your petitioners should also be compensated for any thwarted opportunity to extend their property upward in consequence of the Promoter's use of the airspace above the property during the construction period.

Local amenity

33 Your petitioners are particularly concerned about the temporary and permanent effects of the works on their local amenity. The temporary effects during construction, such as dust, dirt and litter need to be carefully and proactively managed, if they are to be minimised. The works need to be properly screened. Your petitioners are not satisfied that this is adequately covered in the Code of Construction Practice.

34 As to permanent effects, the proposed ventilation shaft adjoining the Property does not have an active street frontage. Your petitioners are concerned that it will be aesthetically detrimental to the street scene. Provision should be made for any noise, vibration or fumes emitted from the shaft should be properly attenuated and minimised.
Your petitioners request the Promoter consider how to minimise the adverse impacts of the ventilation shaft and to work with the petitioners to achieve an active and appealing street frontage to Cobourg Street and Stephenson Way.

Reconfiguring the Property

In order to mitigate the impact of the works and the constricted access to the Property, it may be necessary to reconfigure the Property internally and externally, for example in order to make greater use of the rear entrance. Your petitioners should be reimbursed for the cost of any such works.

Material physical damage

A detailed condition survey of the Property should be carried out by a surveyor jointly instructed by your petitioners and the Promoter, but at the Promoter's expense, before commencement of the HS2 works (including the utilities diversions). If the works cause material physical damage to the Property, your petitioners should be reimbursed for the cost of rectifying it or the Promoter should make good the damage to the satisfaction of your petitioners, regardless of the application of the statutory compensation code.

Compensation

Although the Bill was introduced more than two years ago and the project was years in development before then, the Promoter has yet to come up with any satisfactory and enforceable solutions to these problems or provide any other form of satisfactory compensation or redress. Unless he does so, your petitioners stand to suffer an unwarranted injustice.

Where full mitigation proves impossible, the Promoter should be looking for imaginative ways to ameliorate your petitioners' plight. Your petitioners could, for example, become actively involved in the design, intended use and eventual partial occupation of the site adjoining them that is to incorporate the ventilation shaft and be redeveloped.

In essence, the statutory compensation code compensates for the loss of property, not for loss of profits or for damage caused to a business or undertaking, such as that of your petitioners.

When property is acquired compulsorily, the code provides compensation for property owners who are displaced. Where, as here, no land is taken, the only compensation ordinarily payable comes after completion of the works - and then only in respect of some aspects of the operation of the works, not their construction. Paradoxically, therefore, greater loss can be suffered by being adjacent to works and retaining one's property than by being in their way and having one's land taken. Here, the damage will come from the construction of the works rather than their subsequent operation. This very limited form of compensation is wholly inadequate and reflects a serious shortcoming in the statutory code.

In the exceptional circumstances of the HS2 project, it is incumbent on the Promoter to do better than this for third parties rather than shelter behind the current terms of the code. There is no justification for your petitioners to be an inadequately compensated casualty of the project. The pledge given on 6 July 2013 during the High Speed Rail (Preparation) Bill by the then Minister, Simon Burns MP, to "have a scheme that is fair and generous" should be honoured. The code should be modified in its application to your petitioners (and to other petitioners in equivalent circumstances, if Parliament sees fit). Where adequate mitigation cannot be...
provided or where HS2 declines to provide it, your petitioners submit that other remedies, e.g. relocation or monetary compensation (or a combination of both) should be provided.

Prayer

43 Your petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

BIRCHAM DYSON BELL LLP

Parliamentary Agents for THE MAGIC CIRCLE, THE MAGIC CIRCLE TRUSTEE LIMITED and THE CENTRE FOR THE MAGIC ARTS LIMITED

18 April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF: NIGEL PETER BELLINGHAM and SALLY ANN BELLINGHAM

Declares that:

1 Your petitioners are specially and directly adversely affected by the whole Bill, in particular Clauses 1-6, 15 and 19 and Schedules 1, 2, 6, 9, 10 and 16 of the Bill.

2 Your petitioners

2.1 Your petitioners are the freehold owners of lletts Farm, Northampton Road, Brackley, NN13 7TY which is a commercial farm in Northamptonshire. Your petitioners' landholding comprises your petitioners' house (a 6 bedroom farmhouse with a one bedroomed flat attached), a dairy farm of approximately 188 acres including various buildings used to house and milk 200 milking cows plus a further 230 heifers that produce replacement milking cows for the herd and for sale. The farm is also used for intensive land use to produce feed crops which are processed and stored on-site for the livestock. There are also 5 properties within the farm which form a short-term letting business, these buildings are of various sizes and in addition there is a cottage which is an agricultural tied dwelling. Furthermore, your petitioners' son and his family reside in a dwelling close to your petitioners' property which will be adversely affected by the proposed works.

3 Your Petitioners' concerns

3.1 The Bill proposes to authorise the compulsory acquisition of land and certain interests in your petitioners' land, including some land for permanent acquisition and some land for temporary acquisition. The land is identified on HS2 Plan Volume 2.2, Plan No. 2-75 and 2-76. The Bill includes the demolition of your petitioners' house, a range of farm buildings, the holiday let buildings and a farm workers' dwelling to facilitate the building of the railway and revisions to the A43 dual carriageway. These demolitions are to take place at an early stage of the construction process to facilitate the building of the revised A43 dual carriageway. Furthermore the southern farm land will be severed from the remaining farm buildings. The severance of this land will affect the number of livestock which can be kept at the farm, which will affect the financial viability of the farm.

3.2 Your petitioners have reached agreement with the Promoter on terms that address their concerns but that agreement has not yet been finalised and executed. If the agreement is not for any reason finalised, your petitioners strongly object to the compulsory purchase of their land and property and the exercise of any other powers in the Bill that may adversely affect their interests. They will wish to contend how severely they will be prejudiced if the agreement is not concluded. Your petitioners are therefore submitting this petition in order to safeguard their position.
4  The prayer

Your petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND your petitioners remains, etc.

BIRCHAM DYSON BELL LLP

Parliamentary Agents for:

NIGEL PETER BELLINGHAM

SALLY ANN BELLINGHAM

18 April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF:

THORNEY LANE LLP
CAPPAGH INVESTMENTS LIMITED
QUATTRO HOLDINGS LIMITED
CAPPAGH AGGREGATES LIMITED

Declares that:

1 The Petitioners are specially and directly adversely affected by Clauses 1-21, 30-35; 43-48; 50-52, 57-65 and Schedules 1-15, 24, 25 and 31 of the Bill.

2 Your Petitioners

2.1 The Petitioners are:

(a) Thorney Lane LLP, a limited liability partnership in the business of developing and managing land, and which controls a number of subsidiaries engaged in various businesses on such land;

(b) Cappagh Investments Limited, a company in the business of managing land;

(c) Quattro Holdings Limited, a company in the business of managing land; and

(d) Cappagh Aggregates Limited, a company in the business of aggregate recycling and processing.

2.2 Thorney Lane LLP is the freehold owner of land identified for the route of the track alignment in the approach to the New Depot. This land comprises:

(a) a parcel of agricultural land to the west of Hollow Hill Lane which is entirely within the red line boundary and is shown as Plot AP2-22, AP2-21, AP2-17, AP2-14, and AP2-9 on Additional Sheet No. 8-02 of the Works Plans (the West Parcel);

(b) a parcel of agricultural land to the east of Hollow Hill Lane the parts of which under the red line boundary are shown as Plot AP2-15, AP2-14, and AP2-13 on Additional Sheet No. 8-01 of the Works Plans (the East Parcel); and
the Thorney Lane Business Park and its access road, the parts of which within the red line boundary are shown as plot AP2-12, AP2-11, AP2-10, AP2-9, AP2-8, AP2-7 and AP2-5 (the Business Park).

2.3 Cappagh Investments Limited and Quattro Holdings Limited are members of Thorney Lane LLP and are leaseholders and occupiers of parts of the Business Park. Cappagh Aggregates Limited is an occupier of parts of the Business Park.

2.4 Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for the reasons amongst others.

3 Your Petitioners' concerns

3.1 Your Petitioners are concerned that the relocation of the New Depot as proposed by the Bill confers insufficient public benefit to justify the resulting harm to displaced businesses and the loss of a potential housing site. Your Petitioners are also concerned that the promoter is seeking powers to acquire more land than would be necessary for the development of the New Depot and that the proposed alignment of the connection between the New Depot and the Great Western Main Line (GWML) is located too far north. Under the Bill's powers the proposed realignment of Hollow Hill Lane would sever the access to your Petitioners' land from Hollow Hill Lane. In addition your Petitioners are concerned that the proposal for construction of the New Depot makes inadequate provision for construction traffic and remediation of contaminated land.

Displacement of existing businesses and reduction in housing supply

3.2 Your Petitioners are concerned that the construction of the New Depot as proposed would have an unjustifiably deleterious effect on their interests and would also harm the public interest by displacing the existing business occupiers of your Petitioners' land.

3.3 The West Parcel and the East Parcel are currently occupied by agricultural businesses, and have the potential for commercial or mixed use development. The relocation of the New Depot would involve the construction of a rail connection through part of the West Parcel and the rest of the parcel being turned into compensatory wetland and woodland habitat, displacing the businesses that currently occupy the land and sterilising the potential for other development.

3.4 The East Parcel would be bisected by the proposed East Connection for the New Depot. The land south of the new connection would become a narrow triangle which would be too small and of a shape too difficult to be efficiently farmed or developed. Thus the land would also be sterilised by the proposals.

3.5 The usable area to the north of the rail connection would be further reduced by the presence of the Hollow Hill Lane main construction compound and temporary material stockpile. Paragraph 2.5.20 of the SES states that the compound will be in place for approximately three years. The area not occupied by the compound and stockpile would be an irregular shape that could not be farmed or developed efficiently. The proposed Hollow Hill Lane realignment and associated earthworks would make both the East Parcel and the West Parcel inaccessible from the public highway, displacing the current business occupiers and making it unlikely that the remaining portion of the East Parcel could be used. Accordingly further land would be sterilised.
The part of the Business Park that is within the Bill limits is currently occupied as a concrete batching plant. Such use is at risk of being discontinued as a result of the construction of the New Depot. In addition the disruption resulting from the use of the Business Park access road as a construction route, and traffic congestion resulting from the construction in the local area is likely to make the Business Park less attractive to new business tenants and may result in current business tenants moving away.

Your Petitioners note that SES and AP2 ES Volume 4 confirms that it is estimated that the relocation of the New Depot will result in the displacement and possible loss of 50 jobs. However, given the unfavourable impacts the construction of the New Depot is likely to have on the Business Park, your Petitioners consider that the relocation of the New Depot could indirectly result in a much greater loss of employment in the business park.

The Promoter has presented no business case justifying the interruption and critical impact on these businesses, which will be forced to close as a result of these proposals. The Promoter should be required to keep these businesses opened and jobs preserved.

Your Petitioners are also concerned that the construction of the New Depot will have a deleterious effect on development in the vicinity of this proposed depot. The local development plan currently identifies the Site for mixed-use and/or housing. Your Petitioners are concerned that the availability of housing locally is a factor that potential tenants of the Business Park take into account when deciding where to locate, and the loss of this proposed housing development and its replacement by the Depot could make the area less attractive for new businesses.

Your Petitioners therefore consider that the public interest weighs against the construction of the New Depot as currently proposed in the proposed location.

Your Petitioners respectfully suggest that the Promoter has made no case for displacing, disrupting, or destroying one set of private business interests by replacing them with another – namely Heathrow Express’s depot. Moreover the Heathrow Express franchise only extends to 2021 with no guarantee of its future operation or operational requirements. Your Petitioners respectfully suggest it is a misuse of the powers in the Bill to favour what is, in effect, one private undertaking over the interests of others.

Extent of Land Sought

Your Petitioners are concerned that the extent of the land within the limits of land to be acquired or used is greater than necessary, and that the powers sought over the land are excessive and therefore disproportionate. It cannot therefore be justified in the public interest.

Your Petitioners are concerned that the Bill seeks to obtain the power to permanently acquire the Petitioners’ land despite the fact that at least parts of the Petitioners’ land are only needed for temporary works and therefore only temporary possession should be sought in accordance with the principles of compulsorily acquisition. The powers being sought are excessive and disproportionate and cannot be justified in the public interest.

Your Petitioners consider that the proposed East Connection for the New Depot is located further north than it should be, creating a slice of unusable land between the connection and the GWML. If the proposed connection were aligned further south, less land would be taken for the construction. No explanation is given for the demolition of the concrete batching plant in the Business Park. Map number CT-05-155 shows that only a small strip of the batching plant site
is required for engineering earthworks, and a southerly realignment of the connection would avoid any encroachment on the site. The Promoter should be required to avoid the batching plant altogether.

3.15 Your Petitioners are concerned that the proposed alignment appears to have been selected to leave land available for construction sites for the Western Rail Link to Heathrow (WRLtH), in relation to which Network Rail is formally consulting. However, no powers have been sought to construct the WRLtH, and the land has not to date been safeguarded. There is no certainty that the WRLtH will be constructed. Given that this is the case, and that a more southerly alignment for the East Connection could be achieved without detriment to the operations of the New Depot, the alignment currently proposed is unjustified and disproportionate and therefore fails to meet the public interest test.

3.16 Your Petitioners note that unrestricted powers of acquisition are sought over its land within the red line boundary. This would enable the permanent acquisition of the land, whereas the SES states that much of it is required only during construction, which is for temporary purposes only. For example, the part of the East Parcel that would be used for the Hollow Hill Lane Main Compound and temporary stockpile would be required for a period of three years, so powers of permanent acquisition should not be granted and are excessive and disproportionate. Similarly powers of permanent acquisition are proposed over the access road to the Business Park, whereas the only rights that would be required in relation to the construction and maintenance of the New Depot would be rights of access.

3.17 Your Petitioners are also concerned that the part of the West Parcel to the north of the proposed rail connection is to be used for wetland habitat and replacement floodplain storage. No, or inadequate justification is given for this proposal. Under the Bill it is proposed to create 55,000m$^3$ of replacement floodplain storage, whereas your Petitioners understand that around 7000m$^3$ of storage would be sufficient. This proposal therefore requires an excessive land take and is flawed. Alternatives should be pursued that would use less land and have a lesser impact on business uses. The Promoter should be permitted only to take permanently land for which a permanent use is required. Where rights alone would be sufficient for the construction and operation of the Scheme, they alone should be granted, not the right of permanent acquisition. Where land is required temporarily the Promoter should only be permitted to exercise powers of temporary acquisition and the land should be appropriately identified in Schedule 16.

Effect of Construction Traffic

3.18 Your Petitioners are concerned that the construction of the New Depot will cause an increase in traffic congestion, which will have an adverse impact on their members, including H & G Car Parks Limited, their subsidiaries' businesses and the tenants of the Business Park, such as Step Property Limited.

3.19 The Business Park access road is proposed to be used as a construction traffic route. The SES states at paragraph 2.5.32 that this road will be used to access all of the construction compounds except for the Station Approach Satellite Compound. The Business Park access road is a narrow single lane road that is not capable of accommodating significant construction traffic. The tenants of the business park are engaged in a range of businesses including aggregates, transport, and plant hire. These businesses require unimpeded use of the access road 24 hours a day 7 days a week. Use of the access road for construction traffic during the 12 month construction peak will jeopardise the ability of the tenants to operate their businesses.
In addition, the volume of HGV traffic on the access road will pose a risk to the health and safety of people working at the Business Park.

3.20 Your Petitioners are concerned that the construction traffic will affect surrounding roads and exacerbate traffic congestion in the vicinity which will impact deleteriously on their use of the local network. The SES predicts that construction traffic at major junctions in the area will cause significant adverse effects in relation to delay and congestion. Congestion at these junctions will thus adversely affect the efficiency of the transport and aggregates businesses based at the Business Park and impact upon other local users.

3.21 Your Petitioners are concerned that the combined effect of the increased traffic on the Business Park access road and the increase in congestion at important junctions locally may force businesses at the Business Park to relocate and will make it more difficult to attract new tenants.

3.22 Your Petitioners respectfully request that the Promoter be required to carry out traffic impact assessments to identify effects of construction traffic and to develop mitigation measures including alternative means of construction / waste material disposal, for example by utilising the canal or the railway or by construction and use of alternative roads including construction of a means of crossing the canal to the north of Hollow Hill Lane to provide an alternative means of access.

3.23 Your Petitioners respectfully request that, if the Bill passes into law, the Promoter be required to construct a HGV relief road to connect the Business Park to Market Lane or North Park, and that the Promoter undertake to route construction traffic via the M4 junction at Langley then via Sutton Lane and the new relief road, rather than along Thorney Lane. This would reduce the impact of construction traffic on users of Thorney Lane and the roads in Iver. It would also reduce the impact of construction traffic on the existing Business Park access road. This would in turn mitigate the impact of construction traffic on your Petitioners and the tenants of the Business Park.

Need for remediation of contaminated land

3.24 Your Petitioners are concerned that the East Parcel comprises the former Iver and Hollow Hill Lane landfill sites. These historic landfills were filled with household and industrial waste by the local waste authority. The SES at paragraph 2.6.3 states that the excavation of the sites would generate hazardous and non-hazardous waste, and estimates that some 187,278 tonnes would need to be disposed to off-site landfill.

3.25 Your Petitioners are concerned that the former landfills need to be comprehensively remediated, and that the current proposals do not provide for this, as the extent of the land identified for remediation only comprises part of the contaminated land. If remediation work is to be undertaken it should be undertaken across the whole of the contaminated sites in order to prevent the risk of re-contamination from the unremediated parts of the site.

3.26 In Your Petitioners' view the New Depot should not be relocated to Langley and instead considerations should be given to options, which they consider to be more effective, either at another site along the Great Western Line or at the existing Old Oak Common site as such the Bill should not pass into law.

3.27 If the Bill is to be passed into law then your Petitioners request that inter alia:
(a) provision be made to ensure that access to Your Petitioners’ land at the West Parcel and the East Parcel from Hollow Hill Lane be maintained throughout the construction and operation of the New Depot;

(b) the East Connection to the New Depot be realigned to the south to minimise the amount of your Petitioners’ land affected by the proposed development, to avoid encroachment onto the Business Park and to avoid interference with the cement batching plant;

(c) the Promoter be required under the Bill to widen the access road to the Business Park and to control construction traffic in such a way that the tenants of the Business Park have unimpeded access to the Business Park at all times and to reinstate the road in due course;

(d) the Promoter be required to construct an HGV relief road connecting the Business Park to Market Lane or North Park and/or a route for construction traffic crossing the canal at the north end of Hollow Hill Lane to join with Mansion Lane and to undertake to route construction traffic via these routes rather than via Thorney Lane;

(e) if contaminated land at the former Iver and Hollow Hill Lane landfills is to be remediated, the whole of the former landfill sites should be remediated, not just part and the Promoter be required to enter into appropriate indemnity arrangements with your Petitioners to protect them from exposure under the Transfer documentation relating to the site as respects interference with the contaminated land.

(f) the Promoter be required to undertake not to exercise rights of permanent acquisition over the Business Park access road, the proposed site of the Hollow Hill Lane Main Compound or any other parts of your Petitioners’ land over which only temporary powers or rights would be required for construction and operation of the New Depot and its associated works.

3.28 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, or the undertakings or assurances described above are given in favour of your Petitioners, the Bill should not be allowed to pass into law.
4 The prayer

The Petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioners remain, etc.

BIRCHAM DYSON BELL LLP

Parliamentary Agent for:

THORNEY LANE LLP

CAPPAGH INVESTMENTS LIMITED

QUATTRO HOLDINGS LIMITED

CAPPAGH AGGREGATES LIMITED

18 April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF: Severn Trent Water Limited

Declares that:

1 The petitioner is specially and directly adversely affected by the whole Bill.

Your petitioner

2 The petitioner is Severn Trent Water Limited, a company incorporated as private limited and registered at Companies House under company number 2366686. The petitioner is one of the largest of the regulated water and sewerage companies in England and Wales. It provides services to more than 3.3 million households and businesses in the Midlands and mid-Wales.

3 The petitioner is the freehold owner of Coleshill Sewage Treatment Works, which is a public utilities site in Warwickshire. Parts of the operational site are within the Bill limits, and listed in the Book of Reference and the Additional Provision 4 (AP4) Book of Reference.

Your petitioner’s concerns


5 The plans submitted with the Bill and AP4 show the railway’s delta junction being constructed partially on the site of the sewage treatment works operated by the petitioner. In addition, electricity and gas utility lines are to be relocated within the boundaries of the petitioner’s sewage pumping station. This will act as a major constraint on the existing and future operation of the sewage treatment works.

6 The limits of deviation and of land to be acquired and used are drawn very widely. No satisfactory explanation has been given as to why this is so. It leaves the petitioner uncertain as to the extent of the displacement it will suffer and how to plan for it. The promoter should commit to identifying now the extent of land truly necessary for the works and to not acquiring more than that and also to not acquiring land where temporary possession will suffice. The petitioner understands that the promoter in determining whether to take possession temporarily or acquire permanently will take into consideration the comparable costs, including costs recouped from disposal of the property in the event of permanent acquisition. The petitioner is concerned that the promoter will therefore acquire permanently even where the intention is to possess temporarily, which will significantly prejudice the petitioner as it will lose certainty in its...
future operations (particularly as parts of the petitioner's site are held for necessary future expansion), and create the potential for a security risk (see paragraph 18 below).

7 The petitioner is particularly concerned by the possibility of land being acquired permanently for a temporary purpose. The petitioner considers it inappropriate and unjustifiable for the Bill to contain compulsory purchase powers in respect of land for which the nominated undertaker's requirement is temporary only. Possession of land required for purposes such as access roads and replacement flood plain storage, as indicated in the Environmental Statement and Supplementary Environmental Statement, could be returned to the petitioner when the works have been completed.

8 The petitioner's current operations will be directly impacted by the authorised works as originally proposed and as extended by AP4. Part of the sewage treatment works is occupied under licence by SITA UK Limited who undertake grit processing on the petitioner's behalf. The grit processing is a necessary element of the petitioner's operation and will need to be relocated. Similarly, a number of operational sludge tanks will need to be replaced elsewhere. Insufficient provision is made by the Bill for the relocation and replacement of these facilities without interruption.

Effect on Future Operations

9 The operations at the sewage treatment works have developed over a number of years. Changes in the demand for sewage capacity in the area and changes to the governance of such sites will continue to require renewal and replacement of existing equipment indefinitely over time. The petitioner's current site allows for this but the land required by the promoter under the Bill, coupled with the land required for relocation of operations which will be displaced, will frustrate this flexibility and result in increased operational costs. The promoter should consult with the petitioner on the design and implementation of the works authorised by the Bill with a view to minimising such impacts.

10 The petitioner is concerned that once the promoter's scheme is operational, there will be an opportunity for the nominated undertaker to demand ransom value where the petitioner requires the installation of infrastructure or apparatus under or over the railway. The petitioner seeks an undertaking from the promoter that the Bill will be amended so that the practice will not be allowed in respect of this scheme. Additionally, the petitioner is concerned that the nominated undertaker will not cooperate in a timely manner regarding such installations, which could substantially jeopardise the petitioner's ongoing operations. The petitioner seeks an undertaking from the promoter that the Bill will be amended to stipulate certain and reasonable timescales in such circumstances.

Access Issues

11 Whilst access to the petitioner's property is currently gained from within the Hams Hall Industrial Estate, access can also be made available, if necessary, from the A446. AP4 showed an amended proposal to bring HS2 traffic in from the A446, upgraded to allow such use. The petitioner submits that it should continue to be allowed this means of access without
impediment (save to the extent necessary for the upgrade to be carried out), not excluded from it, as appears to be the intention under the Bill.

12 The petitioner’s property consists of four main areas, two of which are divided by the River Tame and are both operational. Access between the two is by a single carriageway bridge over the river. There is also a utilities bridge but this does not provide any form of vehicular or pedestrian access. The road bridge is adequate for current use but its capacity is wholly inadequate for the increase in its use intended by the promoter. By the introduction of AP4, the promoter impliedly acknowledged the problem but AP4 failed to provide a suitable solution to it.

13 The petitioner therefore submits that the proposed works should include a separate or upgraded crossing over the River Tame, sufficient to accommodate the intensified use of the crossing by any construction and operational traffic for HS2 and by the petitioner, SITA (following the repositioning of its operation from south of the river) and two other utility companies which are to be re-routed over the bridge.

14 The petitioner is concerned that under the powers of the Bill, access to the area north of the proposed railway may be restricted either physically or legally. The petitioner requires that access to their property be unrestricted by height, width, weight or other restriction imposed by construction of the railway.

15 Construction of the proposed replacement floodplain storage under the proposed River Tame East and West Viaducts should be subject to a design that allows for ongoing access to land to the west of the proposed railway.

Security and Health & Safety

16 The petitioner operates a site over which they can currently control third party access. The Bill (as amended by AP4) places high voltage power lines and gas pipelines over the site, as well as the construction of the railway. This will constrain the operation of the site by the petitioner and by third parties requiring access to the site at short or no notice.

17 The petitioner is concerned that the design of the railway and its associated infrastructure so far fails to take sufficient account of health and safety and security considerations for the site. The promoter should consult with the petitioner with a view to ensuring that access taken both for construction of the railway and future management of the site is undertaken in a safe and secure manner that meets the petitioner’s existing and future safety and security requirements.

18 The petitioner is concerned that land acquired by the promoter will not be returned to the petitioner, but may be disposed of to a third party. The proximity of land acquired by a third party to the petitioner’s operational site would entail a significant and unacceptable security risk, and the petitioner seeks an undertaking from the promoter to protect against this.

Timing of Works

19 The petitioner is operating a public utility which must be maintained without interruption. Relocation of the petitioner’s operational equipment will require considerable forward planning in order to allow for design, construction and commissioning. The petitioner is concerned that the time between the granting of the Bill and commencement of construction will not be sufficient for the petitioner to relocate its operations in an orderly and uninterrupted fashion.
The Bill should be amended to provide, or the promoter should undertake, that the seamless
relocation of the petitioner's facilities will be accommodated within the programme for the
authorised works. The petitioner requires greater notice than that currently provided for within
the Bill for the relocation of apparatus and the entering onto and acquisition of land by the
promoter.

General

20 The petitioner seeks full indemnity and compensation for all costs, loss and damage suffered
due to any adverse effect on its apparatus, property and operations caused by the proposed
works and the proposed railway. Additionally, the petitioner seeks full indemnity and
compensation for costs incurred by it in reaching agreement with the promoter for the benefit
of the promoter's scheme.

21 For the foregoing and connected reasons the petitioner respectfully submits that, unless the Bill
is amended in such a way as to address the concerns of the petitioner, it should not be allowed
to pass into law.

22 There are other clauses and provisions in the Bill which, if passed into law as they now stand,
will prejudicially affect the petitioner and their rights, interests and property for which no
adequate provision is made to protect the petitioner.

The prayer

23 The petitioner therefore asks the House of Lords that it, or someone representing it in
accordance with the rules and Standing Orders of the House, be given an opportunity to give
evidence on all or some of the issues raised in this petition to the Select Committee which
considers this Bill.

AND the petitioner remains, etc.

BIRCHAM DYSON BELL LLP
Parliamentary Agents for Severn Trent Water Limited

18 April 2016
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF: Royal Mail Group Limited and Royal Mail Estates Limited (“your Petitioners”)

Declares that:

1  Your Petitioners are specially and directly adversely affected by the whole Bill.

2  Your Petitioners

2.1 Royal Mail Group Limited is the operator of universal postal service functions through the Royal Mail delivery and collection service handling letters, postal packets, parcels and high value (registered) packets, and also operates Parcelforce Worldwide which is a priority parcels carrier. Royal Mail Group Limited’s services are regulated by the Communications Industries Regulator, Ofcom.

2.2 Royal Mail Estates Limited is a subsidiary of Royal Mail Group which owns certain property interests used in the delivery of Royal Mail Group’s operations.

2.3 Your Petitioners own or have an interest in a number of properties which are in the vicinity of the proposed railway and works, and will be directly affected by the proposals of the Bill, including but not exclusively its provisions for the compulsory acquisition of private property interests.

3  Your Petitioners’ concerns

3.1 Your Petitioners are supportive of the Bill in principle, but submitted in the other House petitions against the Bill on 14 May 2014 (petition 216) and on 23 October 2015 (petition AP3:69). These petitions objected to the impact of the proposed development on their properties and operations including those in Camden, Greenford, Premier Park and Castle Bromwich.

Camden Delivery Office

3.2 One of the properties owned by your Petitioners which is affected by the proposals of the Bill is the Camden Delivery Office at 1 Bamby Street, NW1 1AA (“the Site”). Your Petitioners operate a variety of mail collection, processing and delivery functions at the Site, serving six postcode areas (NW1, NW2, NW3, NW5, NW6 and NW8) in a densely populated part of North London. Mail deliveries from the Site serve over 25,000 private and business addresses in the NW1 postcode area.

3.3 The Bill proposed the permanent acquisition of the Site, initially for temporary use as a construction compound, followed by permanent use to accommodate, among other things,
the landing of a cycle bridge and footbridge, an HGV holding area, an electricity substation and a bus stand.

3.4 The Bill now proposes that the Site is permanently acquired in order to accommodate bus stands for eight buses with associated driver facilities.

3.5 Your Petitioners strongly objected to the Promoter’s proposals in respect of the Site in the other House. Your Petitioners submitted that, as a fundamental point of principle, there was simply no justification for acquiring a site with such a high operational and compensation value that is currently used to collect and deliver mail over a wide area, a function in which the public has an obvious interest, in order to provide bus stands for eight buses.

3.6 Your Petitioners also expressed concern with the lack of real engagement from the Promoter in identifying viable solutions for the Site. Your Petitioners had sought to work collaboratively with the Promoter in identifying a solution that would meet the objectives of both parties— for example, finding a different location to accommodate the bus stands, or identifying a way to provide the bus stands at this location but in such a way that your Petitioners’ operations at the Site could co-exist with it. Against this backdrop, your Petitioners were compelled to lodge a petition with the other House seeking an undertaking from the Promoter that he would work with your Petitioners to develop such solutions for the Site.

3.7 In light of the objections lodged with the other House, your Petitioners and the Promoter entered into constructive negotiations that culminated in the Promoter offering a number of assurances and both parties agreeing to enter into an agreement to obviate or mitigate the various impacts of the Bill on your Petitioners’ interests in the Site. The agreement did not prevent your Petitioners lodging a petition in the House of Lords.

3.8 These assurances and the agreement amongst other things require the Promoter, in collaboration with and using significant internal and external resource on the part of your Petitioners, to undertake investigations, design work, consent applications and stakeholder consultation (as appropriate) in connection with the solutions envisaged for the Site by the assurances and agreement.

3.9 Your Petitioners are concerned that the Promoter, notwithstanding his good faith in giving these assurances and agreeing to enter into the agreement, and despite the ongoing and continued efforts of your Petitioners, is not sufficiently meeting the obligations on him, with the result that progress towards the various agreed solutions for the Site is being significantly delayed, to the potential detriment of your Petitioners’ interests.

Your Petitioners’ other property interests

3.10 A number of your Petitioners’ other concerns with the Bill were addressed by assurances (in the same agreement as above and a further agreement relating only to the Petitioners’ property at Greenford) that the changes in the plans for the proposed development would be made such that the Promoter would not have to exercise some of those Bill powers that would otherwise adversely affect your Petitioners’ other property interests. Your Petitioners have not yet received conclusive confirmation that these changes will be made and as such the potential for adverse impact on them remains as at the date of this petition.
The prayer

4.1 Your Petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND your Petitioners remain, etc.

BIRCHAM DYSON BELL LLP
Parliamentary Agents for Royal Mail Group Limited and Royal Mail Estates Limited

18 April 2016
To the House of Lords  
Session 2015-16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF PARK VILLAGE LIMITED

Declares that:

1. The petitioner is specially and directly affected by a Bill (hereinafter referred to as “the Bill”) which was introduced in November 2013 and is now pending in your Right Honourable House entitled “A Bill to make provision for a railway between Euston in London and a junction with the West Coast Main Line at Handsacre in Staffordshire, with a spur from Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes”.

2. The petitioner is specially and directly affected by scheduled works and other works proposed to be authorised by the Bill as specified in clauses 1, 2 and 3; and in Schedules 1, 2, 3 and 4 to the Bill.

3. The petitioner is specially and directly affected by those further clauses of the Bill relating to provision for construction works and other works; highways matters and use of roads; provisions relating to rights over and temporary possession and use of land; and compensation. The petitioner is particularly concerned by all those clauses relating to building regulations; party wall matters; and street works and the use of lorries, cranes and other construction plant which are proposed to operate in close proximity to its premises and business operations.

4. Your petitioner and its interests are injuriously affected by the Bill, to which your petitioner objects for reasons amongst others, hereinafter appearing.

Your Petitioner

5. Your petitioner is Park Village Limited of The Old Riding School, No. 1 Park Village East, London NW1 7PX, also known as Park Village Studios.

6. Your petitioner has occupied these premises on a series of occupational leases from the Crown Estate Commissioners since 1972. The current lease is due to expire in 2018, but this is expected to be renewed by The Crown Estate Commissioners. Your petitioner has rights of security of tenure under the Landlord and Tenant Act 1954.

7. The premises from which your petitioner conducts its business have lawful planning use and landlord’s consent for its use as film, television and photographic studios. The property which is specially and directly affected by the HS2 and associated works is the only trading premises of your petitioner, from which all of its operations are carried out. The property
houses two fully functional and adaptable film, TV and photographic studios, together with associated ancillary offices and hospitality facilities. The Studios' only access is via Park Village East in the form of pedestrian entrances to the reception and production office areas and a further two off-street double height loading bays providing essential service access "24/7" for technical staff and camera, lighting and construction equipment.

8. The petitioner set out its concerns previously in response to the HS2 proposals and the associated main Environmental Statement (ES) in petition no. 0241; and in response to HS2 Additional Provision 3 (AP3) with Supplementary Environmental Statement 2 (SES2) in petition no. AP3: 018 in the House of Commons.

9. The studios and ancillary business facilities are contained within a building which HS2 Ltd has recognised in its Environmental Statement as a “non-designated heritage asset.” The Old Riding School was built in 1892 as an indoor riding arena, combined with two storeys of stabling, to serve the residents of the Nash Houses of the Regent’s Park Outer Circle and the Park Villages East and West. Initially it had stabling in the upper floor accessed by an enclosed exterior ramp. The building was saved from demolition in the early 1970s by photographer and director Peter Webb, founder of Park Village Ltd, and it has been carefully adapted, whilst preserving many of its original features including the horse ramp, viewing gallery and William Morris tiled hallway. The Old Riding School is located adjacent to Nash’s 1827 Grade II-listed York and Albany public house, on land which was once its tea garden. The building contributes positively to the setting of the listed building, to the special character of Park Villages East and West, and to the setting of the Regent’s Park conservation area, as designated in 1971.

10. The petitioner’s premises at The Old Riding School are uniquely suited and located for the demands of the company's work. Two studios provide highly adaptable spaces with a combined working area of over 300 square metres. Your petitioner employs 11 full-time staff; and, for an average day’s filming, up to 20 freelance technicians — including camera crew, production designers, editors, sound recording engineers, construction managers, carpenters, painters, hair and make-up and costume designers — will be employed.

11. Your petitioner’s location close to Camden Town with links to the Eurostar terminus at St. Pancras station has proved to be ideal over many years — especially for ease of access to major camera, costume and props rental houses and for clients or actors who may be internationally based. Much of the studios’ work is sourced from major London advertising agencies.

12. The Studios have been acknowledged as one of the most spacious, peaceful and atmospheric workplaces of their type in Central London, affording demanding clients the peace and privacy to give their best work and maintain the highest creative standards. The success of the business over 43 years of operation in the Old Riding School can be attributed, at least in some large part, to the location of the premises and the peaceful, private and tranquil environment in which its noise- and vibration-sensitive operations can be carried out.

13. Your petitioner has garnered the premier National and International awards for its advertising photography, film and television commercials and public service films, including the Designers and Art Directors Association Gold and Silver awards for the Hovis Carpenter and Olivetti Faces campaigns; the Palme D'Or twice at the Cannes International Advertising Festival as the top production company worldwide; British Television Advertising Gold and
Cannes Lions awards for The Ovaltineys, the John Smith’s Arkwright series, the COI Drink/Drive and Seatbelt ads, the Great Ormond Street Hospital Appeal and the Sport Aid/UNICEF fund raiser; the ITV award for the best single commercial of the year for John Smith’s Song and Dance and also for Levi’s Airport; a US Clio Award for John Smith’s True Love; and the Rank Cinema Award for Bell’s Whisky Lost. The Studios received a BAFTA for co-founder Peter Webb’s adaptation of the Damon Runyon story Butch Minds the Baby, and a US Academy Award for co-founder Roger Woodburn’s groundbreaking Camera designs.

14. In addition to your petitioner’s stand-alone success as an independent production company, the uniquely private and spacious environment of the Old Riding School has played host to a wide range of film, photographic and casting assignments — ranging from The Rolling Stones for Peter Webb’s Sticky Fingers album shoot to Sir Paul McCartney for the casting and editing of 20th Century Fox’s Give My Regards to Broad Street also directed by Webb; to Robert De Niro and director Phil Kaufman for the casting of The Unbearable Lightness of Being; and in more recent times Robert Downey Jr and photographer Mario Testino for UK Vogue; Emma Thompson for the Nanny McPhee sequel casting and rehearsals; and Coldplay for a Q Magazine photoshoot in October 2015. In the first quarter of 2016 the Studios have completed: in-house beauty and fashion photoshoots for Vogue China and of Hollie May Saker for Vogue Ukraine; a photoshoot for a Q magazine editorial feature publicising the second number one album Everything You’ve Come To Expect from UK rock supergroup The Last Shadow Puppets; and a directorial assignment for National Geographic Channel’s new TV series The Story of God, hosted and produced by Morgan Freeman. Confirmed work for the second quarter includes a four-day event hire for Jo Malone; content filming for Harvey Nichols and the RAF; and macro food filming for Heinz.

Your petitioner’s concerns

(i) Use of land for construction under and surrounding your petitioner’s property

15. Your petitioner has been advised by Parliamentary Agents acting for HS2 Ltd that the property which your petitioner leases from the Crown Estate Commissioners might be used and/or acquired in connection with the HS2 Scheme as set out in the Bill.

16. Your petitioner’s property is referenced as numbers 174 and 177 on the Deposit Plans. Your petitioner has not been advised why the property has been the subject of two separate references as it is a single hereditament. A small (triangular) part of the property at the northern end, which cannot be divorced from the remainder, has been identified as “Land Not to be Acquired or Used” on the Deposit Plans.

17. The Studios are located just under one kilometre to the north-west of the proposed new HS2 Euston station. The petitioner understands that its premises will not be demolished, altered or extended as a result of the Bill, but that it will be in very close proximity to, and impacted by, some of the most substantial, lengthy and complex engineering works on the entire route of HS2, for a considerable period of over six years.

18. Your petitioner understands that its property is located within the HS2 Safeguarding Direction and within the proposed limits of deviation. On the HS2 safeguarding plans, the larger part of the premises is shown as being within the “safeguarded area : sub-surface.” SES2 and AP3 ES Volume 2 CFA1 Report Map Book, Map CT-05-001 identifies part of No. 1 Park Village East as “land potentially required during construction”.

3
19. SES2 Volume 2 CFA1 Report Section 5.1 refers to “land required for the revised scheme” on a temporary basis for construction in addition to the land that will be required permanently for the revised scheme, including that within highways needed for utility works (paragraph 5.1.54). This includes land for the installation of ground anchors at Park Village East, north of Mornington Street Bridge (AP ref. AP3-001-005) and shown in SES2 and AP3 ES Volume 2 CFA1 Report Map Book, Map CT-05-001, and being land in the immediate vicinity of Park Village Studios. It has only recently been confirmed by HS2 Ltd that it is intended that ground anchors are to be inserted under your petitioner’s premises.

20. The petitioner is fundamentally concerned with the environmental effects arising significantly during the construction Stage A (2017–2026) of the revised HS2 scheme, and also with any potential residual effects.

21. The ES and SES2 have indicated that there would be substantial and significant adverse impacts arising from the range, extent and combination of HS2 works and the subsequent operation of the new railway. The works are considered to include but not limited to those referred to as: Works Nos. 1/1; 1/2; 1/15; 1/16; 1/17; 1/17 A; 1/18 A; 1/19; 1/19A; 1/26; and 1/27.

(ii) Sound, Noise and Vibration

22. SES2 Map CT-05-001 includes Park Village East as a Construction Traffic Route and includes a proposed Park Village East (north) Satellite Compound.

23. SES2 CFA1 Report paragraph 5.3.69 confirms construction vehicle access to this satellite compound between 2018 and 2024. This will be from Parkway to the north of Park Village East, a few metres north of the petitioner’s premises. It is understood that this will enable the movement of plant and material to and from the adjacent railway cutting; with a conveyor for excavated material and a 20m x 30m logistics platform extending over the cutting for cranes to operate between track level and street level. The platform will be immediately adjacent to and south of your petitioner’s premises.

24. It is understood that Park Village East is to be used for the access of plant and deliveries for the construction of the railway and Euston tunnel portals with associated infrastructure, including: the removal and subsequent reinstatement of “Line X” and the cutting out of a structure for the accommodation of the HS2 dive-under beneath part of the Park Village East highway; the removal of the Park Village East retaining wall; for the construction of barrette walls and provision of earth anchors under Park Village East properties; construction of a headhouse; and other works, in addition to the utilities advance works including the permanent diversion of a 42 inch water main from outside your petitioner’s premises to Albany Street.

25. It is understood that core construction working hours are proposed as 0800hrs to 1800hrs on weekdays and 0800hrs to 1300hrs on Saturdays. However, SES2 Volume 2 CFA1 Report paragraph 5.3.8 states that subsurface tunnelling, excavations and civil engineering works associated with the underground stations; deliveries of large components; elements of utility diversions are likely to require work to be undertaken outside core working hours for logistical reasons of working near the operational railway.

26. It should be noted that the operation of your petitioner’s business is not restricted to the normal working day and the premises are often used during evenings and overnight for film
shoots. With regard to construction traffic noise, your petitioner is particularly concerned about the disturbance caused by reversing and idling HGV vehicles with their attendant alarms.

27. With regard to construction (and demolition) noise, HS2 Ltd has recognised that the construction noise effects on the acoustic character of Park Village East will be significant, but your petitioner considers that the effects on its business have been understated, including by Counsel for the DIT at Select Committee. The ES assessments of impacts and effects of sound, noise and vibration in the Euston area (ES Volume 2: CFA 1 Report, November 2013) stated at paragraph 11.4.13 that “significant construction noise or vibration effects” had been identified on a “reasonable worst case basis” on your petitioner’s property “due to a range of works including utility trenching, barrette pile cap breaking and cantilevered road construction over a period of 3 months”.

28. For the AP3 proposals announced in September 2015, HS2’s SES2 Volume 5: Technical Appendix SV-003-001 stated, with regard to adverse noise/vibration impacts at Park Village Studios:

   “Two audio-visual studios have been identified in the area whose businesses may require the use of equipment that could be affected by ground vibration. ... Prior to works commencing manufacturers’ safe operating limits will be established if such equipment is identified and monitoring will be carried out to monitor levels.”; and

   “the external daytime criteria are exceeded within intermittent periods totalling approximately 60 months due to a range of works including utility trenching and Barrette pile cap breaking, on site vehicles and cantilevered road construction. The studio may also be sensitive to impacts in the evening and on occasions at night. The extent of impacts will depend on the noise insulation offered by the building as well as the sensitivity of the recording activities within”.

   (SES2 Vol. 5: Technical Appendix SV-003-001, paragraphs 4.3.19 and 4.4.26).

29. SES2 Volume 5: Technical Appendices Sound, Noise and Vibration SV-002-001, SV-003-001 and SV-004-001 provides existing baseline and modelled effects for construction sound, noise and vibration and for operational sound, noise and vibration. Park Village Studios is not directly identified as a receptor in SV-003-001 Table 2: Assessment of construction induced ground-borne vibration at non-residential receptors, despite the fact that paragraph 4.3.19 identifies Park Village Studios as a business using equipment that could be affected by ground vibration (including due to utility works) that will create a “significant daytime effect”.

30. Park Village Studios is listed as a receptor in SV-003-001 Table 4: Assessment of construction noise at non-residential receptors as Assessment Location 520315. The table refers to works during the day as Barrette piling; during the evening as work on retaining walls and abutments—Barrette construction; and at night as being for the installation of contiguous piles in portal. These are recorded as having a significant effect (ref. CSV01-N1). Table 4 registers significant daytime noise levels of up to 76DB; evening working noise levels of up to 58DB; and night-time working noise levels of up to 79DB.
31. SES2 Volume 5: Technical Appendix SV-003-001 paragraph 4.4.26 states (with reference to Park Village Studios):

"the external daytime criteria are exceeded within intermittent periods totalling approximately 60 months due to a range of works including utility trenching and Barrette pile cap breaking, on site vehicles and cantilevered road construction. The studio may also be sensitive to impacts in the evening and on occasions at night. The extent of impacts will depend on the noise insulation offered by the building as well as the sensitivity of the recording activities within”.

32. SES2 therefore acknowledges the profound effect that noise from works will have on premises at Park Village East, including on the petitioner’s premises, and yet which is not clearly identified as a receptor of construction induced ground-borne vibration in the relevant schedule, i.e. SV-003-001 Table 2: Assessment of construction induced ground-borne vibration at non-residential receptors.

33. Your petitioner’s business is dependent on highly sensitive technical requirements in order to conduct its business. For filming and photography, it is renowned for its established and market leading “macro” food and product filming for leading food companies, and any vibration experienced on the filming surface or lens mountings would be significantly amplified by the extreme close-up nature of the subject matter. In your petitioner’s larger studio area, the frequent use of Motion Control technology, developed in part by your petitioner (and which has gained a technical Academy Award) requires an exact and precise repeat of tracking, focus, camera pan & tilt movements. Significant vibration of an intermittent or unpredictable nature will preclude the marrying of the varying elements making the whole process null and void. For audio recording, particularly of spoken dialogue which is employed in many recently commissioned advertising campaigns as well as high profile music video playbacks, “lip sync” is critical.

34. Your petitioner considers that the location of the compound and the nature of the adjacent demolition / construction works with attendant construction traffic access thereto, will have a critical impact on its business due to lengthy periods of disturbance caused by unacceptable noise and vibration due to the works.

35. It is apparent from the proposed works programme, commencing with utilities works, that construction activities near Park Village Studios will not be limited to the core site operating hours. While the impacts on Park Village Studios of impact- and air-borne construction noise and vibration would vary. However, it is not unreasonable to assume that, when taken in combination with construction traffic access along Park Village East, the effects of construction noise and vibration will be severe, and may well make the continuation of the Studios’ specialised work untenable.

(iii) Access

36. Your petitioner’s business requires regular 24 hours a day and 7 days per week vehicular access (including on Bank Holidays) to its premises for clients and the delivery of equipment. This regular access is essential for your petitioner to carry out its business.

37. The SES2 CFA1 Report states that construction access to the Park Village East (north) satellite compound will be required between 2018 and 2024. SES2 indicates that access routes in the immediate vicinity of Park Village Studios will be subject to severe restrictions
due to a combination of road closures, demolition, construction traffic, deep piling works and other construction works. SES2 Volume 2 CFA1 Report Fig. 9a: Activity based indicative construction programme summary – construction Stage A works 2016-2026, (pp. 107–114) states that advance utilities works are due to start at Park Village East in Q4 2016; demolitions are due to start from the start of 2017; with work due to start on the new Park Village East retaining wall at the start of 2018.

38. SES2 Volume 2 CFA1 Report Table 6: Long period temporary road closures (p. 102) states that Park Village East will be closed to vehicles in sections between its junction with Parkway to about 30 metres south of Mornington Street Bridge between 2017 and 2022. Construction Phasing Works Map No. CT-20-005 shows demolition / clearance works as well as utilities works from 2016.

39. Volume 2 CFA1 Report paragraph 8.4.39 states that the demolition and replacement of the retaining wall on the west side of the railway at Park Village East will require the temporary closure for six years of vehicular access to 1–36 Park Village East. While emergency access will be maintained, access will otherwise only be on foot. CFA1 Report paragraph 5.3.71 confirms that the northern part of the Park Village East carriageway will be used as a laydown area for fabricating barrette reinforcement cages and as a crane site to construct the 10 most northerly retaining wall barrettes adjacent to Park Village East.

40. HS2 has indicated that Park Village East’s use as a worksite for the barrette works will initially be positioned at the northern end and progress down the street, and that worksites for the utility works will also be phased and restrict access temporarily; with access to properties interrupted intermittently between 2016 and 2023.

41. The nature of your petitioner’s business, operating in a competitive environment, demands an ability to schedule client bookings at short notice. Your petitioner’s business cannot schedule its operations without a clear understanding that vehicular access will be available “24/7” for client access including for deliveries of camera and lighting equipment and set construction materials.

(iv) Air Quality

42. The draft Code of Construction Practice includes a range of mitigation measures and provides for the preparation of a Local Environment Management Plan that will set out how the project will adopt and deliver the required environmental and community protection measures so as to control dust and other emissions from activities in the area (SES2 and AP3 Vol 2 CFA1 Report, para. 7.4.1).

43. SES2 and AP3 ES Vol 5 Map Book – Environmental Topics, Map No. AQ-02-001-03: Air Quality Receptor Sites for Construction Dust Assessment SES2 and AP3 ES (1.4: Euston Station tunnel portal) does not include No. 1 Park Village East as a receptor site for monitoring air quality.

44. Your petitioner’s business requires the use of equipment which is highly sensitive to the ingress of air-borne dust. Your petitioner therefore requests individual consideration for its premises to be registered as a receptor, so that mechanisms for monitoring air quality and appropriate mitigation such as filtration measures could be deployed. Any mitigation measures would need to be clearly set out with reference to any Local Environment Management Plan localised to the Studios as a stakeholder.
(v) **Light pollution**

45. Due to the historic nature of your petitioner's premises, which has been adapted to provide skylights along the length of the building, the petitioner offers one of the few daylight studios in London, which is one of its attractions to clients hiring the studios for photography shoots. Your petitioner's business would clearly be affected if these were blocked due to construction works or due to any soundproofing mitigation. Equally, because the business operates “around the clock”, your petitioner's studio space could be compromised by uncontrolled light ingress resulting from construction works or plant.

46. Again, your petitioner requests individual consideration for its premises, so that mechanisms for monitoring light and appropriate mitigation measures could be deployed.

**Conclusion**

47. The petitioner has set out the nature and characteristics of the activities undertaken at its property, along with its attractive secluded location which is part of the business’s unique offer to clients. These regular and routine activities of your petitioner are essential to the proper functioning of your petitioner’s organisation.

48. The petitioner believes that the nature and extent of the proposed works will create light pollution, dust, noise and damaging vibration, thereby creating a severe adverse impact on their premises and causing unacceptable disturbance and disruption to the normal daily activities required to operate the business. The petitioner believes that this impact is likely to negate the particular unique selling points of the premises' character and quiet location, with likely catastrophic results to the business.

49. The petitioner is concerned that the burden of general maintenance and insurance costs of its building will increase significantly for the duration of the HS2 works, without proper or adequate compensation. Your petitioner will also have to incur the costs of professional advice, e.g. as to party wall issues, noise and vibration mitigation, threats to the fabric and contents of the building, dust control, asset protection and other issues which arise in the course of the now extended period over which the works are contemplated.

50. Your petitioner’s concerns and requirements have been put consistently to HS2 Ltd by your petitioner and by your petitioner’s retained advisers, including that a distinctive and special approach from HS2 Ltd is required. Your petitioner acknowledges that HS2 Ltd has now recognised its particular concerns regarding noise and vibration with reference to provisions with HS2 Information Paper E23, Control of Construction Noise and Vibration, in terms of “individual consideration” in this regard.

51. Your petitioner was particularly grateful for the sympathetic hearing of the Select Committee on 17 December 2015 in demonstrating an understanding of your petitioner’s concerns; and in particular members’ support for a written agreement or undertaking by HS2 to be drawn up, and for the establishment of a 24 hour “hotline” — the provision of a nominated officer contactable to support your petitioner.

52. Counsel for the DfT acknowledged during your petitioner’s Select Committee hearing the need for close collaboration between HS2 and your petitioner, so as to examine the predicted effects of construction on the premises and make appropriate arrangements to
provide protection from those effects. The petitioner’s concerns about notice of works and vibration/noise effects on its sensitive premises and HS2 Ltd’s expected mitigation plan were specifically noted at paragraph 239 of the Select Committee’s Second Special Report of Session 2015–16, published on 22 February 2016.

53. Whilst no Assurance has yet been given and registered in Parliament, HS2 Ltd has provided a draft agreement for consideration by your petitioner. This draft agreement has proposed the establishment of a Working Group to be set up after Royal Assent; to be followed by a baseline assessment of existing noise/vibration levels and potential noise/vibration impacts; the establishment of an “Operable Threshold” (meaning the worst-case noise and vibration levels under which your petitioner could “reasonably operate its current business”); and consequently to agree a mitigation strategy. The draft agreement also provides for potential relocation and the meeting of certain costs.

54. This agreement of undertaking is currently being considered by your petitioner and its advisers.

55. Your petitioner’s concern at present is that HS2 Ltd does not yet properly understand the nature of your petitioner’s operations and in consequence fully appreciate the financial consequences and impacts of the proposed works.

56. As your petitioner put it at the Select Committee hearing, their entire business revolves around their clients’ schedules, not their own. This means that bookings are more usually at relatively short notice than part of a schedule that can be timetabled weeks or even months ahead. The petitioner has stressed that any disruption to full access to the premises will place a stop on its business. Counsel for the DfT at the Select Committee concentrated on one aspect of the construction works — the barrette wall construction — and stated that this would only mean prevention of access for a period of twelve weeks in 2019. This does not take into account disturbance from the range of other demolition/construction works and associated traffic referred to earlier, starting with utilities works, which will seemingly virtually surround your petitioner over many years. Counsel for the DfT stated at the Select Committee hearing that direct obstruction of access to your petitioner’s premises will not happen until 2019 and that an assurance could be given to that effect. Such an assurance still remains to be seen by your petitioner. In addition, the draft agreement does not currently relate to individual consideration of air and light pollution.

57. The timing and extent of noise and the control of working hours and notification / consultation with the petitioner are matters on which members of the Select Committee expressed a strong view in your petitioner’s case and which need to be more clearly understood. The petitioner will clearly need to see a detailed programme of works with timescales. Certain works such as the barrette construction and the ground anchor installation may in isolation be programmed to last over a period of weeks. However, it is the cumulative impact with other works including operations such as demolitions, pile driving and tunnel boring (such as referred to above quoted from SES2 Volume 5: Technical Appendix SV-003-001 paragraph 4.4.26) which is of pressing concern to your petitioner; and who cannot but imagine that this cumulative impact will critically affect the attractiveness of their business offer and ultimately business viability. Your petitioner’s operations require significantly demanding standards of stillness, quiet, privacy and the attendant atmosphere to adequately perform the audio and visual recording functions for which it is world-renowned. Should these key elements be removed or not capable of being guaranteed,
then there is the likelihood that clients would simply choose not to use your petitioner’s facilities or the attendant world-class talents normally attached to their use.

58. An important aspect of any mitigation package is what has been discussed at the Select Committee in relation to non-residential businesses at Stephenson Way, that is a “Trigger Action Plan”. This means that not only should appropriate levels of mitigation be addressed for predicted ground-borne noise and vibration and other predicted impacts, but that there needs to be a firm, identifiable framework to ensure that following any design mitigation and such implementation, that there must be due monitoring and triggers for action, i.e. a palette of measures to be implemented in the event of mitigation failure. Again this needs to be reflected in any agreement between your petitioner and HS2 Ltd.

59. A Trigger Action Plan was referred to by Counsel for your petitioner as being desirable in relation to its business. However, having said that, the grave concern of your petitioner must be that, even should such a framework be in operation, any trigger alert resulting as a failure of mitigation and requiring a stop to your petitioner’s legitimate operations would of itself result in damaging reputational damage to your petitioner’s business.

60. As Counsel for your petitioner put it eloquently in his opening statement to members of the Select Committee, your petitioner wants to continue its “world-class business” in its premises if it possibly can with adequate mitigation, if that is possible. Counsel made it clear that what the petitioner does not want is “to find itself in an awful half-way-house situation where mitigation is put in and it does not work and the business fails anyway. It wants the very best it can by way of protection to ensure its world-class business continues to flourish.”

61. It appeared from the opinion of the DfT’s Counsel at the Select Committee that there will be no compensation to your petitioner’s business should there be general disturbance by construction works, and that any limited (“Section 10”) compensation might solely be payable due to diminution in the letting value of the premises at certain times — such as during the barrette works or during installation of the ground anchors. This needs to be more clearly understood by your petitioner.

62. Should your petitioner be forced to close its operations at The Old Riding School it has no suitable alternative property into which it can relocate and may therefore, as a consequence, suffer both irreparable reputable and financial loss. The petitioner therefore maintains its position that in event that HS2 Ltd cannot demonstrate by agreement a full understanding of your petitioner’s business and an adequate level of mitigation that would allow your petitioner’s business, its operations and processes to continue satisfactorily, then your petitioner requests that HS2 Ltd must agree to either fully compensate for all your petitioner’s losses and/or bear the full cost of relocating your petitioner’s business to a satisfactory alternative property and bear any additional costs thereby incurred until such time as the disruptive works have been concluded and the petitioner can resume its normal business operations.

63. In the absence of a satisfactory agreement with HS2 Ltd your petitioner continues to allege that its rights, interests and property will be injuriously and prejudicially affected if the Bill and the works described therein are passed into law. The petitioner objects to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker, and respectfully submits that the Bill should be amended or undertakings required so that HS2 Ltd, the Secretary of State and/or the Nominated Undertaker must
review the construction strategy for the project and its related works by considering their individual and cumulative impacts on sensitive receptors including your petitioner’s property. Your petitioner requests that, in reaching such amendments to the Bill or by giving such undertakings, proper consideration is given to the elimination of unacceptable disturbance to the petitioner’s property through adequate mitigation and/or compensation so that your petitioner may continue to discharge its functions in accordance with its objects without loss, disturbance or disruption.

64. The requests of the petitioner are:

(1) The need for a review of HS2 construction strategy

65. Your petitioner objects to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submits that the Bill and the proposed amendment provisions should be altered or undertakings should be required so that HS2 Ltd, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works, by considering their individual and cumulative impacts on sensitive receptors including your petitioner’s property.

(2) The removal and relocation of the Park Village East (north) Satellite Compound

66. Your petitioner requests that because of the significant adverse impact of the proposed Park Village East (north) Satellite Compound on your petitioner’s business and operations, the Satellite Compound is relocated to a site which is away from sensitive receptors such as your petitioner’s property, where it may be accessed by more suitable and appropriate construction routes which have less damaging impacts on properties and occupants.

(3) The need for adequate mitigation, compensation and potential relocation

67. Your petitioner requests that proper consideration is given to the elimination of unacceptable disturbance to your petitioner’s property through adequate mitigation and/or compensation so that your petitioner’s business and operations may continue without loss, disturbance or disruption. In the event that HS2 Ltd cannot adequately mitigate its works to the extent that your petitioner’s property is rendered incapable of lawful use for any period of time, then your petitioner requests that HS2 Ltd relocates your petitioner’s business and activities to a suitable alternative property at the entire cost of HS2 Ltd. Alternatively, or in addition, your petitioner asks to be fully compensated financially for all losses suffered and expenses reasonably incurred in consequence of the Bill and its promotion and of the exercise of the powers conferred by it when enacted (ranging, by way of example only, from all costs reasonably incurred in seeking to agree terms with the Promoter to the full loss suffered for the extinguishment of the petitioner’s business, if that should occur). Your petitioner requests that, since the extent and character of the difficulties facing the business operation due to the likely severe adverse impact of HS2 Ltd’s works are exceptionally significant and potentially catastrophic, these concerns are sufficiently important to warrant exceptional treatment in the approach to mitigation, compensation and relocation.

(4) Adequacy of access

68. Your petitioner requests that full vehicular and pedestrian access is maintained at all times to its property at No. 1 Park Village East, ensuring that all vehicles entering Park Village East from the north can enter and leave the street safely in forward gear.
(5) **Other matters**

69. Your petitioner reserves the right to raise any further matters which may arise in due course, relating to any further discussions, reports and modifications as to proposed works in the vicinity of your petitioner's property.

70. There are other clauses and provisions of the Bill which, if passed into law as they now stand, will prejudicially affect your petitioner's rights, interests and property and for which no adequate provision is made to protect your petitioner.

**The Prayer**

71. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

BIRCHAM DYSON BELL LLP
Parliamentary Agents for Park Village Limited

18 April 2016
To the House of Lords  
Session 2015–16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF:  

DB Cargo (UK) Limited  
DB Cargo International Limited  
Rail Express Systems Limited  

Declares that:  

1 Your Petitioners are specially and directly adversely affected by Clauses 1, 2, 3, 4 to 19, 38 to 43, 46, 47 and 63 of the Bill.  

2 Your Petitioners  

2.1 Your Petitioners are DB Cargo (UK) Limited (formally DB Schenker (UK) Limited), a private limited company (Company No. 02938988), DB Cargo International Limited, a private limited company (Company No. 03232475) and Rail Express Systems Limited, a private limited company (Company No. 2938991) ("your Petitioners"). Your Petitioners trading as part of the DB Cargo Group constitute the largest rail freight operator in the United Kingdom. They also operate open access (charter) passenger services. Your Petitioners employ over 3,200 people nationwide and operate around 750 freight trains per day. Your Petitioners’ registered office is Lakeside Business Park, Carolina Way, Doncaster, South Yorkshire, DN4 5PN. Your Petitioners hold licences under section 8 of the Railways Act 1993 (c. 43) ("the 1993 Act") to operate specified railway assets throughout Britain and are party to access agreements approved or entered into pursuant to section 17 or 18 of the 1993 Act, which give your Petitioners permission to use the entire national railway network including the routes that cross or use part or all of, the HS2 Phase 1 route identified by the Bill.  

2.2 Your Petitioners own or have an interest in the following properties, which are subject to compulsory acquisition or use under the Bill:  

BOROUGH OF CAMDEN  
Parcel: 143, 144, 156 and 160  
Property: Euston, Granby Terrace Maintenance Depot  
Description: Land and maintenance depot  

BOROUGH OF EALING  
Parcel: 130, 143, 144, 145, 146, 147 and 155  
Property: Willesden Euroterminal
compound to support conventional railway works in the Euston area periodically from 2016 to 2033. It will be used for material deliveries and train stabling for conventional rail modification works at Euston. It will also provide worker welfare facilities, access to the rail network, signing on point, material handling and support other satellite compounds.

3.10 Your Petitioners submit that there is no evidence that the Promoter's requirements at the site could not be met by the acquisition of temporary rights, rather than compulsory acquisition and moreover that the second phase of the Promoter's use of the site needs more than a part of the site in any event. The Promoter's proposed use of the site is for similar purposes to the current use of the site. As such any amendment or reconfiguration of the site by the Promoter will be consistent with your Petitioner's future use of the site. In 2015 your Petitioners offered the Promoter the alternatives of either a lease of the site, or a management arrangement, and both were rejected. Acquiring the site outright will unfairly prejudice your Petitioners and the rail freight industry as a whole. Once the Promoter's use of the site is complete, the site will be sold and the Promoter will be required to recover best value of the site by selling it on the open market. Rail freight is essentially a low-margin business: your Petitioners nor any other rail freight company will be in a position to compete financially with other prospective developers in order to buy it back. As a consequence the site will be permanently lost to the rail freight industry.

3.11 Your Petitioners consider that there is no compelling case in the public interest to justify the extent of the rights being sought in the Bill. The public interest lies firmly in favour of temporary possession of Willesden Euroterminal during the period of works, and the site being returned to your Petitioners on completion. As such your Petitioners submit that either the Bill should be amended so that the Willesden Euroterminal site can only be acquired on a temporary basis, or that the Promoter should be required to provide an undertaking to the same effect.

4 Rail Freight to Support Construction

4.1 Your Petitioners are concerned that while the Bill makes provision for some rail served construction compounds it does not compel the Promoter to make maximum use of rail freight during construction. Experience of other projects such as HS1, Heathrow Airport Terminal 5, Crossrail and the Olympic Park has shown that rail freight can play a pivotal role in the supply of materials, removal of waste and in construction activities. There are also compelling economic and environmental benefits for maximising the use of rail freight in the construction of HS2. Rail freight reduces congestion by removing HGVs from the roads and produces around 76% less CO2 than the equivalent journey by road, making a significant contribution to the UK's carbon reduction targets.

4.2 Your Petitioners along with the Rail Freight Group and Freightliner jointly negotiated with the Promoter on this issue. The Promoter gave an assurance that: "the Promoter will engage with the Rail Freight Group and their members regarding the transportation of excavated materials, with a view to maximising, as far as reasonably practicable, the use of rail freight to support the construction of the Proposed Scheme." This final wording of this assurance was not agreed or accepted by your Petitioners, the Rail Freight Group or Freightliner as it did not go far enough to address concerns.

4.3 In evidence before the Select Committee your Petitioners made the case that the Promoter had not effectively planned how freight could be used in construction of HS2, and no
comprehensive route wide study had taken place to inform such a plan. A route wide plan needs to be in place as soon as possible to ensure that the freight industry is properly prepared to support construction and so that contractors bidding for contracts have evidence of how freight can be utilised.

4.4 Your Petitioners submit in order to adequately address concerns, the Promoter should be required to give a binding assurance that a suitable percentage figure of imported and excavated materials will be transported by sustainable means. In addition, the Promoter should provide a binding assurance to develop a route wide plan for the bringing in and removal of construction and excavated materials to and from construction sites by sustainable means by a date no later than December 2016. Such a plan should be developed in consultation with the Rail Freight Group and its members.

5 The prayer

Your Petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remains, etc.

BIRCHAM DYSON BELL LLP
Parliamentary Agent for:

DB Cargo (UK) Limited
DB Cargo International Limited
Rail Express Systems Limited

18 April 2016
To the House of Lords
Session 2015-16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF:

DR DALLAS JOHN BURSTON
IXL EVENTS LIMITED

Declares that:

1. Your Petitioners are specially and directly adversely affected by Clauses 1-37, 44-54, 56-64, 66-69 and Schedules 1-27 and 30-32 of the Bill.

2. **Your Petitioners**

   2.1 Your Petitioners are: Dr Dallas John Burston, land owner of the Stoneythorpe Estate (the Estate) in Southam, Stratford-upon-Avon and IXL Events Limited (company number: 8581117) which has the benefit of a lease over part of the Estate and of which Dr Dallas John Burston is the 100% shareholder. The registered address of IXL Events Limited is Stoneythorpe Estate, Southam, Warwickshire, CV47 2DL. Another company, CCL Property and Leisure Limited, owns part of the land that falls within the Estate and Dr Dallas John Burston is also the 100% shareholder.

   2.2 The Estate comprises a large and well established agricultural and equestrian enterprise of 450 acres: namely the Dallas Burston Polo Grounds (the Polo Club). This luxury commercial equestrian facility is the product of 17 years of investment, planning and development by your Petitioners with an ongoing building spend of over £10 million.

   2.3 The Polo Club consists of six polo pitches; including one International Pitch which has been consented for a golf driving/polo driving range; the “blue” and “red” polo pitches which are to the East of the main entrance to the Estate; the yellow pitch which is to the north of the blue and red pitches; and informal pitches 5 and 6 which are to the west of the main entrance of the Estate and are adjacent to each other. Other facilities at the Polo Grounds include Home Farm House and livery facilities, the Golden Jubilee QE2 Pavilion which is used for wedding ceremonies, four 3-bedroom houses overlooking the polo pitches which provide accommodation for hire (known as the Scoreboard Properties) and an 8,000 square foot clubhouse (the Main Clubhouse). The Polo Club hosts regular fixtures and tournaments which can attract several thousand spectators. The Polo Club enjoys a reputation for excellence internationally.

   2.4 Within the Estate is also the IXL Events Centre which is operated by your second-named Petitioner, IXL Events Limited (the Events Centre). The Events Centre is a large conference
and events centre with a capacity of 3,500 people and is used for major corporate events and wedding celebrations. The Events Centre opened in December 2013 and already has committed events booked for 2016 and a considerable number of bookings for 2017. The Events Centre also incorporates an all-weather outdoor arena, which is the largest in the UK, and is used for polo, show jumping, dressage and children's mounted games, a players' clubhouse and associated car parking for 300 cars.

2.5 The Polo Club and the Events Centre constitute a significant business enterprise within the local area and therefore contribute considerably to the local economy. The Events Centre and Polo Club can employ up to 120 people and a further 6 people are employed in relation to the administration and maintenance of the Estate.

2.6 Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for the reasons amongst others, hereinafter appearing.

3 Your Petitioners' concerns

3.1 Your Petitioners consider that proposed scheme will have a severe and detrimental impact on the commercial success of the Polo Club and the Events Centre. The Bill makes provision for a tunnel at this location to pass beneath the Polo Club and Long Itchington Wood to the north, with the tunnel entrance being sited just to the south of the A425 Leamington Road, adjacent to the Estate. During the two year construction period, the proposed scheme diverts the A425 temporarily to the north of its current alignment and onto Estate land.

3.2 The proposed diversion of the A425 will cut off the main access to the Estate, the Events Centre and Polo Club from the A425 and will severely impact the polo pitch facilities at the Polo Club; approximately a third of the blue pitch and a corner of the adjacent red pitch will be temporarily acquired for construction purposes. These pitches will be rendered effectively unusable. The reduced size of the blue pitch would make it completely inappropriate for play and the impact on the red pitch would render it unusable for competitive play because it would not meet the national minimum standards. Moreover, due to the potential for noise pollution from the construction works, these pitches would not be suitable for horses or ponies, either competitively, or for training due to the effect that the construction noise and disturbance would have on them.

3.3 If the red and blue pitches, which are known as the 'premier pitches' at the club, are no longer able to accommodate polo matches, the Main Clubhouse would suffer drastic reduction in respect of corporate bookings and other events, the Golden Jubilee QE2 Pavilion would lose appeal for wedding ceremonies due to undesirable views towards the construction works and the four Scoreboard properties would be left empty as these are rented primarily as accommodation during premier fixtures. In addition, the land required for construction works also includes pitches 5 and 6 which would render these informal pitches unusable and therefore unsuitable as alternative pitches for polo fixtures.

3.4 The acquisition of land for construction works will also impact on the overflow car parking at the Estate which is used on key events (such as Dallas Burston Polo Club Ladies Day, Fine and Country Polo Day and other large events) where the number of visitors can reach up to 5000 people. The impact of making the overflow car park less accessible is such that it would mean that the Polo Club could not accommodate such large numbers on these important key
events which would have a significant detrimental impact on its profitability for the season in question.

3.5 To the west of the red pitch, the construction works would require the removal of a spectators' viewing mound as well as three fields that are used as grazing paddocks. These paddocks are essential for the on-site livery business as well as for use by visiting polo teams.

3.6 The impact of the acquisition of land on the Estate for construction purposes is such that it will severely harm the functioning of the Polo Club and the Events Centre and the facilities on offer.

3.7 Your Petitioners are particularly concerned regarding the long term impacts the scheme will have on the Estate and its future commercial success as an international polo ground. The entrance to the Long Itchington Wood Tunnel will be located extremely close to the Estate and in particular to the red and blue polo pitches. As such, your Petitioners are concerned regarding the noise impact the operational scheme will have, especially on ponies that may be involved in a match on these pitches, when high speed trains enter the tunnel. Polo is a dangerous sport and your Petitioners are concerned that the scheme will have considerable safety implications for both ponies and players. Moreover, the impact of noise from passing high-speed trains approaching and entering a tunnel in such proximity to your Petitioner's enterprise will seriously detract from the atmosphere and environment associated with an international polo ground and related facilitated. Your Petitioners therefore require a commitment from the Promoter that noise mitigation measures will be implemented to mitigate the noise impact on the Estate and guarantee its ability both to host safe polo matches and create an atmosphere which will attract visitors and participants.

3.8 Your Petitioners petitioned against the Bill in the House of Commons and shortly before appearing before the Select Committee received a number of assurances in a letter dated 20 March 2015. At paragraph 5 the Letter of Assurance in respect of Noise the Promoter undertook as follows:

"The Promoter will engage with the Petitioner in defining these safety considerations. Consideration will be given to the following proposals of the Petitioner:

"...provision of a noise barrier of appropriate construction of a height of up to 4 metres between the locations marked 1, 2, 3, 4 and 5 on the plan attached to this letter as Attachment D such that the barrier secures a reduction of not less than 10 dB(A) for construction noise at the nearest part of the Red Pitch and the Silver Pitch;

arrangements whereby the Promoter will avoid noise making activities above 70 dB LAFmax as measured at the nearest part of the Red Pitch and the Silver Pitch, such as pile driving, on no more than 12 days to be specified at least 12 months in advance; and

noise attenuation to include as a minimum noise attenuation equivalent to a barrier of appropriate construction of a height of up to 4 metres between the River Itchen viaduct and the portal of the green tunnel between the locations marked 6, 7 and 8 on the plan attached to this letter as Attachment E...."

The general approach to the noise mitigation measures will be considered as soon as reasonably practicable and in any event before the end of the petitioning period before the Second House."
3.9 On Thursday 14 April less than 2 working days before the expiry of the petitioning period in the House of Lords the Promoter sent your Petitioners a Report prepared by Atkins – HS2 – Dallas Burston Polo Club Construction and Operational Noise Assessment (the Report) dated April 2016. The Report is inadequate and been made available without a full opportunity for the Petitioners to consider it. First as with the Environmental Statement it fails to consider the impact of noise on polo ponies in the environment of a polo pitch with which they are not familiar; instead the Report is based on the general assumption used in the Environmental Statement that in adjoining fields “horses will usually become habituated to repeated noise from passing trains but that there may be a short period of adjustment”. Polo ponies are highly trained and sensitive animals and, in particular, in a match situation, cannot be equated with a domestic horse grazing in a field to which it is accustomed, reacting to train noise. Second the Report is restricted to analysing the impact of noise on the ability of players and umpires to communicate verbally. The Report manifestly fails to deal with assessing the effects of noise impacts on the polo ponies themselves and the related impact on safety of the ponies, the players and spectators. Nor does the Report assess the impact of construction and operational noise on the Polo Ground and IXL facilities in the context of the proposed mitigation measures suggested by the Petitioner and recorded at paragraph 5.1 of the Letter of Assurance.

3.10 As a result of the clear inadequacies of the Report properly addressing these matters of concern and in particular the Petitioners’ proposed mitigation, and due to its late receipt, your Petitioners have been obliged to petition in the House of Lords on this important issue.

3.11 There are a number of proposed developments within the Estate that have been granted planning permission. There is an extant planning permission for a large 180,000 square foot stable and accommodation block for players, grooms and visitors, which would accommodate 150 horses. This is to be located just north of the main entrance to the Estate and will be identical to the stables and accommodation building block on the land to the west of the main entrance to the Estate, overlooking pitches 5 and 6. A material commencement of development has been made. The land to be acquired for construction works by High Speed 2 will prevent this development from being completed. As such, High Speed 2 will call the viability of this development as a whole into question. Your Petitioners therefore seek a commitment that the Promoter will compensate your Petitioners for any loss incurred as a result of abortive or delayed work to this scheme as well as the loss of opportunity from this development.

3.12 Planning permission has been granted for a large, 140 bedroom, high quality 5 star hotel to the west of the main entrance to the Estate, overlooking the blue pitch as well as a 80,000 square foot office development located at the southern aspect of the red and blue pitches. Negotiations are advanced with a large international hotel operator in relation to the hotel site. The land required by the Promoter for construction works falls within the area of land proposed for this development and therefore has a serious detrimental impact on the ability of this development to be brought forward. Your Petitioners consider it highly likely that the ongoing noise impact from passing trains will render the proposed hotel completely inoperable. Your Petitioners therefore seek a commitment that the Promoter will compensate your Petitioners fully for the impacts of the High Speed 2 scheme and for the loss of opportunity from this development.
3.13 Your Petitioners seek reassurance that the Bill should allow for the continued operation of the Polo Club and Events Centre and related commercial enterprises. Your Petitioners seek a commitment from the Promoter that your Petitioners will be fully compensated under the Bill in relation to:

(a) any loss incurred including goodwill or custom of the Polo Club or Events Centre as a result of temporary or permanent closure of any of its facilities, and/or relocation or interference with any of its facilities as a result of the failure properly to deal with noise attenuation;

(b) the costs of petitioning on this issue; and

(c) any other costs incurred and losses suffered resulting from the scheme which the Bill authorises.

3.14 For the foregoing and connected reasons your Petitioners respectfully submit that, unless appropriate safeguards are provided to protect your Petitioners and the Bill is amended as proposed above, so far affecting your Petitioners, the Bill should not be allowed to pass into law.

3.15 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.

4 The Prayer

Your Petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND your Petitioners remain, etc.

Bircham Dyson Bell LLP

Parliamentary Agents for Dr Dallas John Burston and IXL Events Limited

18 April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF: Canal & River Trust

Declares that:

1 The petitioner is specially and directly adversely affected by the whole Bill.

Your petitioner

2 The petitioner is a charity registered with the Charity Commission and a company limited by guarantee registered in England & Wales which was set up to care for England and Wales’ legacy of 200-year-old waterways, holding them in trust for the nation forever. The petitioner is among the UK’s largest charities, with responsibility for 2,000 miles of canals, rivers, docks and reservoirs, along with museums, archives, 63 Sites of Special Scientific Interest, over 1,000 wildlife conservation sites, and the country’s third largest collection of protected historic buildings.

3 The petitioner was launched in July 2012, taking over responsibility from British Waterways and The Waterways Trust in England and Wales from which it inherited its statutory duties to ensure continuous navigation on its waterways for vessels of specified dimensions; to maintain the safety and structural integrity of waterway infrastructure, water supply, discharges and drainage, waterway management and maintenance operations, including maintaining water levels for navigation purposes; to protect and safeguard the natural environment, landscape character and built heritage of waterways; as well as to encourage public access to and recreation use of the inland waterways.

4 In addition, as a registered charity, the petitioner has a range of charitable objects including:

(a) to preserve, protect, operate and manage inland waterways for navigation, for walking on towpaths and for recreation or other leisure-time pursuits of the public in the interest of their health and social welfare;

(b) to protect and conserve sites, objects and buildings of archaeological, architectural, engineering or historic interest on, in the vicinity of, or other associated with inland waterways;

(c) to further the conservation, protection and improvement of the natural environment and landscape of the inland waterways;

(d) to promote, facilitate, undertake and assist in the restoration and improvement of inland waterways;
(e) to promote and facilitate awareness, learning and education about inland waterways, their history, development, use, operation and cultural heritage; and

(f) to promote sustainable development in the vicinity of any inland waterway.

The petitioner is also subject to statutory and common law duties applicable to all charities, including the restrictions on disposals of interests in its land in Part 7 of the Charities Act 2011.

The petitioner holds its operational property (its waterways, towpaths and associated infrastructure) as sole trustee for the Waterways Infrastructure Trust and may not dispose of any of this land without the prior consent of the Secretary of State pursuant to the terms of the Trust Settlement between the petitioner and the Secretary of State for Environment, Food and Rural Affairs, dated 28 June 2012.

Your petitioner’s concerns

The petitioner’s undertaking is significantly affected by the promoter’s scheme. Indeed, there were initially 18 interfaces between the petitioner’s waterways and the promoter’s proposed scheme. Timely contributions made by the petitioner have led to significant improvement to the promoter’s scheme. The petitioner has made much progress with the promoter in negotiations, and whilst matters are not yet wholly settled formally, the expectation of both parties is that agreement will be reached shortly. The exception to this is the subject of this petition.

Parish of Curdworth in the District of North Warwickshire in the County of Warwickshire

The petitioner petitioned the First House on all concerns set out in this petition, along with others. The petitioner appeared on one of those concerns before the House of Commons Select Committee on 4 February 2016, namely the proposed crossing of the distinctive and picturesque Birmingham & Fazeley Canal and its flight of locks at Curdworth. The petitioner set out before the Committee its concerns that the proposed design of the promoter’s viaduct crossing was inappropriate and would have a substantial and permanent negative effect on this valued waterway.

The petitioner has substantial concerns regarding the impact on the landscape and visual amenity that the proposed works will have on this well used stretch of waterway and its open and striking surrounding environment. The waterways are particularly valued as a result of their visual aesthetic. Poorly designed and inappropriate structures across or beside the waterways significantly affect the enjoyment and value of the waterways and the impact is significant and permanent.

As noted before the First House Committee, the proposed design of the viaduct crossing is not in line with design principles that have been to date accepted by HS2. Namely, the crossing crosses the waterway at an angle and blocks views across the landscape, which is of an open nature. The petitioner suggested that the addition of piers would permit views that would
otherwise be obstructed and sought an undertaking that the design of the viaduct will include additional piers.

11 The First House Committee noted in its Second Special Report of Session 2015-16 at paragraph 60 that “In Curdworth we expect a sympathetic viaduct design for the crossing of the Birmingham and Fazeley canal in a sensitive location” and at paragraph 345 as follows:

“There should be a positive architectural legacy from the railway’s interaction with the canal network in this country. The Canal and River Trust’s presentation on our final day of hearings impressed us. There are ways to achieve the conjunction of railway and waterway in a manner pleasing to the eye, including use of good materials, retention and framing of views, retention of open space near the waterside, and softening of views against the horizon. We would expect a presumption that the perspective of canal users will be strongly taken into account in the design of infrastructure.”

12 The petitioner has sought an undertaking from the promoter to capture the Committee’s recommendation. The promoter has resisted this, referring the petitioner to the promoter’s response to the Committee report, which at paragraph 98 notes “The Promoter will ensure that key design elements (including those mentioned by the Select Committee in the footnote below) are designed to maintain the local environment and local amenity.” The footnote simply refers to “the Birmingham and Fazeley Canal viaduct in Curdworth”. The petitioner has significant concerns that this assurance falls well below that suggested by the First House Committee in its report, and that the promoter has willfully interpreted the Committee’s recommendation to give little assurance to the petitioner.

13 The petitioner therefore seeks an undertaking from the promoter that it will commit to the recommendations of the First House Committee in full.

The prayer

14 The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

BIRCHAM DYSON BELL LLP
Parliamentary Agent for Canal & River Trust

18 April 2016
To the House of Lords
Session 2015-16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF: Aston Villa Limited, Aston Villa FC Limited and Aston Villa Football Club Limited ("your Petitioners")

Declares that:

1 Your Petitioners are specially and directly adversely affected by the whole Bill.

2 Your Petitioners

2.1 Your Petitioners are Aston Villa Limited, Aston Villa FC Limited and Aston Villa Football Club Limited.

2.2 Aston Villa Football Club ("the Club") was founded in 1874, making it one of the oldest clubs in British football. The Club was one of the founder members of the Football League in 1888 and the Premier League in 1992. The Club has grown to become one of the most popular and followed football clubs in British football with approximately 670,000 Twitter followers and 2,200,000 Facebook followers. Together, your Petitioners employ approximately 1,500 people and, in the financial year to 31 May 2015, had a turnover of £115,000,000 (one hundred and fifteen million pounds).

2.3 Aston Villa Limited is the freehold owner of a football training facility at Bodymoor Heath Lane, Tamworth ("the Facility"). The Facility is currently used by Aston Villa FC Limited, a subsidiary company of Aston Villa Limited.

2.4 The Facility serves as the training complex to the Club, providing a training environment for playing staff from across the men's, ladies and academy teams and is used for several community based football events each year. The Facility is also the principal place of work for a number of the Club's non-playing employees, from football management and medical staff to administrative and support personnel.

2.5 The Facility is an essential part of the Club's football activities and is a top-class training centre, comprising both outdoor and indoor football training pitches, as well as gymnasium and swimming pool facilities. The site of the Facility was specifically selected and subsequently designed for its private and quiet location, essential to
creating a high quality coaching environment. A valuation in 2012 estimated that the freehold interest in the Facility had a value (on a depreciated replacement cost basis) of £21,000,000 (twenty one million pounds).

2.6 The Facility will be directly and adversely affected by the railway and works proposed by the Bill, including but not exclusively its provisions for the compulsory acquisition of private property interests in your Petitioners' land, comprised in parcels 49, 51, 55, 58, 59, 64, 68 and 69 of the Book of Reference (Volume 3.2) Warwickshire (Cudworth to Middleton) and Staffordshire and also comprised in parcel AP 2-9 of Additional Provision 2 (July 2015) Parish of Middleton.

3 Your Petitioners' concerns

3.1 Your Petitioners and the Promoter entered into negotiations in May 2012 with a view to identifying ways of mitigating the various adverse impacts of the proposed railway and works on the Facility.

3.2 Your Petitioners are particularly concerned by the potential long-term noise and visual impacts on those parts of the Facility that are not proposed to be subject to the compulsory acquisition of private interests by the Promoter. Your Petitioners and the Promoter met recently to discuss the results of an assessment produced by the Promoter's noise consultants into speech interference based on baseline and anticipated future noise at the Facility.

3.3 Your Petitioners strongly believe that the dramatic increase in noise levels at the Facility cited by the assessment are likely to render ongoing use of the Facility in its current format and for its current purposes, untenable. Your Petitioners therefore believe that, in all probability, the proposed railway and works will necessitate either reconfiguration of the Facility to mitigate the noise and visual impacts of the scheme, or, in the alternative, wholesale relocation to another football training facility.

3.4 Your Petitioners have previously made it known to the Promoter that reconfiguration of, or relocation from, the Facility, would involve significant practical and logistical upheaval for your Petitioners. To recreate a football training environment of equivalent calibre would in your Petitioners' view take as much as two years to achieve.

3.5 Your Petitioners are concerned that, despite his assurances, very little progress has been made by the Promoter since the start of negotiations in identifying viable solutions to mitigate the adverse impact of the proposed railway and works on your Petitioners' interests, with the result that progress towards an agreed solution is being delayed, to the potential detriment of your Petitioners.

3.6 Unless and until a satisfactory resolution to these issues can be found and contractually concluded, your Petitioners strongly object to the compulsory purchase of their property and to the detriment to the Facility that will be caused by the exercise of the powers conferred by the Bill.
4 **Prayer**

4.1 Your Petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND your Petitioners remain, etc.

BIRCHAM DYSON BELL LLP
Parliamentary Agents for Aston Villa Limited, Aston Villa FC Limited and Aston Villa Football Club Limited

18 April 2016
To the House of Lords
Session 2015-16

PETITION against the
High Speed Rail (London – West Midlands) Bill

THE PETITION OF
(1) MARIAN KAMLISH
(2) IVOR KAMLISH
Declares that:

1 The petitioners are specifically and directly adversely affected by the whole Bill.

2 Your petitioners
aged 83 and 85 in May, according to HS2’s Equality Impact Assessment Update, fall into the category of ‘very old people’. In March this year your petitioners celebrated their diamond wedding, and although currently in relatively good health, given what HS2 now holds in store for them, this happy state of affairs is unlikely to continue for much longer.

As children of WW2 and having lived through air-raids, doodle bugs, Anderson & Morrison shelters, gas masks and evacuation, your petitioners are stoic and resilient. However, the prospect of having to spend the rest of their days in a virtual war-zone, at this time in their lives, frankly fills them with dread. The Promoter’s scheme, as outlined in 2013 was alarming enough, but the additional works, as laid out in 2015, go far beyond anything anyone, young, old, or in between, should have to endure.

For the past 20 years your petitioners have lived contentedly within a few metres of the Euston Throat, an area 700m long, 70m wide, bounded at one end by Parkway, and at the other by Granby Terrace. This deep cutting is lined on the east by Mornington Terrace, and on the west by Park Village East, which itself backs on to the extensive wooded gardens of Park Village West. Conceived as a *rus in urbe* in 1823 by John Nash, the creator of Regent’s Park, Park Village East still contains numerous Grade II* listed ‘cottages’, (numbered 2-16 and 22-36), built in the early 1830s. Numbers 18 & 20 were damaged by enemy action in WW2 and in 1961 Nash House, a small block of 8 flats, was built on this site on the behest of petitioner’s freeholders, The Crown Estate.

Prior to moving into a flat in Nash House upon retirement, your petitioners and their family lived for 30 years in a terraced house in Camden Town where your second petitioner ran a successful design practice. Both your petitioners continue to take an active part in the local community serving on a various Committees concerned with environmental issues e.g. The Camden Civic Society, The Regent’s Park Conservation Area Advisory Committee and The Friends of Regent’s Park & Primrose Hill.

As both of your petitioners still work from home, one as a local historian, the other as a graphic designer, the peace and tranquillity afforded to them in Park Village East is of prime importance.
In June 2013 a sound monitor installed by the Promoter on the terrace at the rear of flat 5 Nash House concluded that, 'the primary noise source' was 'trees rustling in the wind'. As your first petitioner is penning this, the sun is shining, the door to the terrace is wide open, and the only sounds to be heard are a blackbird in full song, and the cooing of numerous wood pigeons, a clear sign that Nash's vision, 193 years ago, persists to this day. Your petitioners maintain that, throughout the Promoter has singularly failed to recognize both the significance and special character of this unique and tranquil corner of the metropolis.

3 Your petitioner's concerns

relate to the manner and means by which the Promoter is proposing to deliver this elephantine project with regard to works in Park Village East and within the Euston Throat.

The three front rooms of your petitioners' flat face onto the narrowest part of the aptly named 'Euston Throat', i.e. the section of the railway cutting running from Parkway to Mornington Street Bridge. In 2013 the Promoter proposed cramming into this 300 metre stretch, the tunnels, tracks, headhouse, auto-transformer station and satellite compounds required by this high-speed line. However, in order for Network Rail to retain LineX, by 2015 this required that yet a further compound to be constructed, comprising of a platform overhanging the railway, at street level, adjacent to No. I, Park Village East, a former indoor riding-school built in the tea garden of Nash's 'York & Albany', now housing an internationally recognized photography & film studio. This new compound, and those in the Euston Throat, are due to be serviced by a fleet of 80 HGVs, which the Promoter intends to house, from 2018-2033, in the ZSL's car park in Regent's Park, currently used primarily by coaches carrying parties of school children, and the disabled, to and from the Zoo.

N.B. In 2014, as the result of an extensive scientific survey, this car park was found to contain a significant portion of the last remaining bastion of relic hedgehogs in a London Park.

The delivery of plant and removal of spoil from PVE will result in 90 to 136 HGV movements during a 24 hr period. The Promoter has promised Camden Council to reveal in May 2016 whether any of the above can be removed by rail, thereby reducing the numbers of HGVs required from 80 to ?

*Your petitioners' greatest concern is that the noise, dust, and noxious fumes created by the demolition and rebuilding of tracks, walls and bridges, involving the use of barrettes and ground-anchors, pile-drivers, pneumatic drills, mechanical diggers generators and the like, will seriously impact their health, moreover, as Network Rail insists on keeping their trains running as usual, night time working will inevitably be the norm, rather than the exception, thus will further exasperating the situation.

HS2's EQIA (2015) states 'Construction of the revised scheme at Park Village East will require the temporary phased closure of vehicular access to properties between numbers 16 & 36 Park Village East. Emergency access will be maintained. [How?] During the closure periods, residents will only be able to access the affected properties on foot. Vehicular access to individual properties in Park Village East will be restricted for a period of up to 12 months, resulting in significant isolation effect on the local community. There is the potential for a differential equality effect for older people, and disabled people living in the affected properties, who may be more likely to rely on private cars for transport, and less able to access local services and amenities on foot'. Your petitioners own a small car, garaged under their flat, at street level. They rely on this to transport home items such as heavy shopping and when attending meetings or visiting friends on winter evenings. Clearly the loss of this facility will become greater as they grow even older, as will be the loss of the hard-standing fronting their garage, where friends and family visiting them currently park their cars.
• Mitigation
Noise mitigation currently on offer to your petitioners, consists of installing secondary glazing to the windows of bedrooms and living rooms facing directly onto the construction works. Your petitioners fitted secondary glazing to the three front windows of their flat when they moved in 20 years ago, and while this successfully cuts out the sound of cars travelling at 20 mph along Park Village East it does not block out the sound of motorcycles, refuse trucks or dumper trucks loaded with empty skips, nor the sound of pneumatic drills recently employed when replacing the water main in PVE.

As the houses in PVE are either detached or semi-detached, noise from the construction works will inevitably permeate between them, rendering their rear gardens, and your petitioner’s terrace, uninhabitable. All in all it is highly probable that the level of construction noise will be such that the only realistic way to eliminate it totally would be for the Promoter to hermetically seal your petitioners, and their neighbours, into their homes for the duration, i.e. 2017-2033.

• Also on offer to your petitioners is mitigation in the form of temporary rehousing. HS2-HY-PET-000909,AP3009(P 11518(1)&(2).Predicted Construction Noise Levels appertaining to Flat 5, Nash House, indicates six periods of temporary ‘Significant Construction Noise Effect,’ totalling 18 months, will take place, during the day, from 2017-2021, plus one period, totalling 3 months, during the night, in 2018. This would mean your petitioners having to move out into temporary accommodation, and then back home again, seven times during a 5 year period. Given their age, this is totally unacceptable.

N.B. The Promoter’s Habitability Information Session, scheduled for 8 September 2015, was cancelled, and never took place.

HS2s Health Impact Assessment ES24, 6 November 2013, states that ‘Moving house involves significant disruption, uncertainty and changes to social networks and familiar environments and routines.’ This document also points out that, ‘Age is a likely common factor in determining the ability of people to adapt to the effects of relocation’. It is also a well known fact that the stress caused by being forced to move is a common cause of premature death in the elderly.

Your petitioners therefore maintain that, for them, temporary rehousing is not on the cards.

Your petitioners also contend that this scheme has not been properly thought through, for example:
Where in the immediate vicinity, does the Promoter expect to find like-for-like accommodation, in order to rehouse all the affected residents in PVE?
Who would be responsible for insuring their empty properties?
Who would provide 24/7 protection for these properties?
Who would tend their gardens, or in your petitioner’s case, their plant filled terrace?

The questions are endless.

• As an amendment regarding mitigation in the form of an In dependant Adjudicator was rejected by the House of Commons, your petitioners humbly request that Honourable Members of the House of Lords Select Committee revisit this matter in the course of their deliberations.
* Your petitioners suggested Alternatives

Ideally, as Old Oak Common has already been earmarked by the Promoter as an Interchange Station, it could also act as the Main Compound for the entire construction process. This brownfield site could be the starting point for tunnelling all the way to Birmingham with the spoil being returned via this tunnel to Old Oak Common prior to being taken, by rail, to the Thames where barges could convey it to a suitable location in the Thames Estuary to form a new nature reserve. All construction materials could also arrive at the site in this manner as well as by the Canal system near at hand. In order that residents in the vicinity of Old Oak Common suffer as little disruption as possible HGVs would be prohibited. Once the tunnel to Birmingham was complete Old Oak Common could become HS2’s main London Terminus, with passengers wishing to travel further using Cross Rail, or the classic lines already in existence.

* Your petitioners are aware of a number of alternative schemes that could greatly reduce the duration and amount of demolition and disruption due to be caused in Camden by HS2, namely, the highly feasible scheme by Lord Tony Berkeley. Your petitioners therefore request that an independent technical assessment is made of HS2’s scheme within Camden and of all the various alternatives to it, as well as an independent cost-benefit analysis of these schemes, ensuring that this analysis includes the social cost of disruption to Camden residents as well as the cost of delays to transport users within London.

* What your petitioners would like to be altered in the Bill

The discrepancy regarding property compensation between Rural and Urban Areas. 

*The Promoter’s Property Consultation Decision Document (April 2014)* set out the Government’s approach to rural areas. 'By their nature rural areas are comparatively tranquil, therefore it is natural to expect that perceptions of the impact of HS2 will be greater in these areas. Moreover, fears and uncertainties are exacerbated in rural areas owing to a perceived threat to the nature of the community. It is also the case that HS2 stations will generally be further away from rural areas, limiting the direct community benefits of the railway and leading to the impression that the costs of the development outweigh the benefits'.

Your petitioners will also be in no position to benefit from this high speed line as by 2033 when it becomes fully operational, they will be 100 and 102 respectively. The 'perceived threats' in rural areas are all too real in PVE, having already been set out in all their gory details by the Promoter. Moreover your petitioners contend that PVE is every bit as rural, as many areas outside the M25 defined as 'rural'. All the houses face onto a mature 'plantation' and their extensive wooded rear gardens contain birds no longer found in the countryside, including blackbirds, robins and wrens, while in the rear garden of No.24 rooks are happily nesting in an enormous London plane tree.

* Currently the only property compensation available to your petitioners is the 'Need to Sell Scheme' which has proved to be unworkable. (see The Carns petition No.4 Park Village East) This scheme requires those applying for it ‘to demonstrate financial need’, but as both your petitioners have no debts, live within their means, and have made proper provision for their old age, this automatically disqualifies them. Meanwhile, those living outside the M25 are also eligible to apply for the ‘Express Purchase Scheme’ which does not require proof of financial hardship. The ability to take up this far more advantageous scheme, would enable your petitioners to live peacefully in their home until the construction works became intolerable, and their home, thereby uninhabitable. Up till then, your petitioners request that, due to their age and the intensity and longevity of this project, periods of respite, paid for by the Promoter, allowing them to stay in a comfortable hotel, from time to time, when they so choose, in order to recuperate, are put in place by the Promoter.
4 The prayer

The petitioners therefore asks the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.
To the House of Lords
Session 2015-16

Your petitioner

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF MR JAMES DARLING

Declares that:

1. The petitioner is specially and directly adversely affected by CT-05-085, CT-05-086, CT-06-085 and CT-06-086.

2. The petitioner is James Darling of Lower Farm, Stoneythorpe, Southam CV47 2DL. He has lived in this house for approximately 30 years and his property includes 36.15ha of agricultural land to the south of the A425. He also retains a financial interest in the adjacent office complex.

Your Petitioner’s dwelling house will not be demolished as a result of the Bill but it is located within 50 metres of the rail line, and 25m of the construction footprint.

Approximately 14ha of your Petitioner’s land will be required to construct the new HS2 route, which runs along and within the northern boundary of the said land, with the remainder currently highlighted in the Bill to provide some ecological mitigation for the Promoter proposals.

Your Petitioner and his property are injuriously affected by the Bill, specifically CT-05-085, CT-05-086, CT-06-085 and CT-06-086, to which your Petitioner objects to the proposed compulsory acquisition of is land the for reasons amongst others, hereinafter appearing.

3. Your petitioner’s concerns

General principle

Noise

Your Petitioner has an objection in principle to the proposed route as it passes within 50m of his dwelling house, and the required land for construction is within 25m of his dwelling house.

There has been no mitigation solution presented by the Promoter on the sound, noise and vibration effects arising during construction or permanent operations of the Promoter on Lower Farm, Stoneythorpe, Southam, CV47 2DL.

The Promoter defined under ES Volume 5 CFA 16 Sound, noise and vibration Construction assessment SV-003-016 the noise level increase, in particular during the construction phase, as significant.
Your Petitioner requests that assessment of sound, noise and vibration effects during construction and operation should be further reviewed for his dwelling house, with suitable mitigation presented by the Promoter.

Land required for HS2
The drawings set out in the final Supplementary Environmental Statement 3 and Additional Provision 4, considered the final and last position of the Promoter, indicate a significant proportion of your Petitioner’s land to the southeast of the dwelling house as “land potentially required during construction”.

Initial discussions with the Promoters technical team highlighted that the area as identified in B6 of CT-06-085 required for replacement floodplain storage, and the area identified in A5, A6, A7, A8, B5, B6, B7 and B8 of CT-06-085 required for Grassland habitat creation, may no longer be required as shown in this present form.

Your Petitioner requests evidence is submitted by the Promoter which demonstrate why your Petitioner’s land is suitable or required for ecological mitigation, against more appropriate land.

Such scheme amendments have not yet been incorporated by the Promoter and therefore the bill, specifically CT-05-085, CT-05-086, CT-06-085 and CT-06-086, still indicates that all your Petitioner’s land will be required to service the Promoters scheme.

Your Petitioner has submitted a planning application to construct a new eco-village on his land to the south of the A425 (Stratford-on-Avon District Council planning reference 15/03618/OUT). This will provide England’s first truly zero carbon and eco-village of 800 dwellings. The proposal is unique and is founded on high levels of sustainable construction utilising latest technology.

Stoneythorpe Village will achieve Energy Autonomy, by providing all the required energy needs for the residents on site.

The principle behind achieving energy autonomy is to reduce the energy demands of the site through the use of Passivhaus design standards on all buildings, and the residual energy demands will be provided through renewable sources of energy.

One of the targets of the proposed development at Stoneythorpe Village is meeting the requirements of the Passivhaus standard of energy efficiency, reducing the heating demand by 90% of average UK consumption.

The project will be a sustainable, replicable and achievable blueprint development that will be used as an exemplar development for large scale housing developments.

With regards to this planning application, the Promoter commented in their letter dated 25th January 2016 ‘In light of the above HS2 Ltd advises that further engagement is required with the applicant to attempt to find an acceptable solution for both schemes to come forward. However, until such time as appropriate clarification is provided in relation to those outstanding matters it is considered
there is significant potential for the proposed development to conflict with the HS2 Proposed Scheme in this location. Accordingly, HS2 Ltd are left with no alternative but to recommend that it would be inappropriate to grant planning permission for the development in its present form. Your petitioner is actively engaged with HS2 to address these points.

Following your petitioner's petition against Additional Provision 4, a letter of assurance was provided by the Promoter dated 3rd February 2016 regarding temporary access which your petitioner was grateful to receive.

**Core Strategy**

The Promoter did not attend the Examination in Public, and did not submit any written statement to the Examination in Public. No submissions to the final draft of the Core Strategy was made by the Promoter.

The Promoter did not explicitly object (or comment) on your Petitioner's site, but simply supported the Council's views that more appropriate alternatives to housing on the Stoneythorpe site were available. The Promoter provided no justification to support its position. The Promoter was able to be far more explicit in objecting to your Petitioner's site but they were not, and raised no specific objection per se to the proposed allocation of Stoneythorpe in the Council's proposed Core Strategy.

Your Petitioner requests that updated scheme drawings setting out the areas required for construction and mitigation should be provided in the vicinity (drawings CT-05-085, CT-05-086, CT-06-085 and CT-06-086) to reflect the discussions undertaken with the Promoters to accommodate your Petitioner's proposals.

**River Itchen Viaduct**

Your Petitioner has demonstrated a significant saving to the Promoter to enable a reduction of the planned River Itchen viaduct; this has been presented to the Promoter's technical team who have confirmed in principle an agreement to this saving.

The Promoter has not considered such changes as worthy of consideration to present a Bill change. Your Petitioner feels this is a significant oversight.

Your Petitioner is aware of the important and complex interface at this location including the Long Itchington Wood bored tunnel, the Long Itchington Wood green tunnel and the River Itchen Viaduct, as a result and at the expense to your Petitioner, further river modelling and structural assessments have been completed demonstrating to the Promoter that a cost effective solution can be provided which would otherwise not be possible without your Petitioners land and assistance.

Your Petitioner respectfully requests the Promoter considers and then introduces the savings possible.
Compensation
Your Petitioner requests that fair and appropriate compensation be paid to him.

Your Petitioner does not feel given the complexity of the site interests and the Promoter’s short and long term access requirements with the possibility of overlapping of the implementation of the Promoter’s proposed scheme and the inception of the Promoter’s scheme that a standard land compensation approach is appropriate. This needs to cover a number of specific elements which would otherwise be outside the compensation code referred to by the Promoter.

Your Petitioner invites confirmation that he will be entitled to compensation based, amongst other aspects, on the benefit to the Promoters of the viaduct modification referred to above.

For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, so far affecting your Petitioner, should not be allowed to pass into law.

There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and their rights, interests and property and for which no adequate provision is made to protect your Petitioner.

4. The Prayer

The petitioner therefore asks the House of Lords that he, or someone representing him in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

And your Petitioner will ever pray, etc.

PAUL ZANNA

Agent

18th April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF RT HON CHERYL GILLAN MP

Declares that:

1. The petitioner is specially and directly adversely affected by the whole Bill, in so far as it affects her Chesham and Amersham constituency and the Chilterns Area of Outstanding Natural Beauty.

2. Your petitioner

Your petitioner is the Member of Parliament for Chesham and Amersham, and has a constituency office in the area affected by the Bill. Owing to the scheduled works for the construction of HS2, the petitioner will be affected in the course of fulfilling her duties as the local Member of Parliament. Traffic congestion and road closures will cause delays when attending weekly surgeries and constituency events and meetings, and your petitioner will be unable to carry out her job without problems and delays.

Your petitioner is the elected representative of the constituency of Chesham and Amersham, and it is, by definition, the job of the MP to work on behalf of those living in the constituency. In this case, this includes many residents and businesses directly and specially affected by the provisions in the Bill, and also those who may not be able to represent themselves. These people bring their problems relating to HS2 to her as an MP, and expect her to articulate them on their behalf.

Your petitioner has represented her affected constituents for six years now, since the announcement of HS2, and those communities who are amongst the very worst affected along the line of Phase One. Your petitioner was granted locus in the House of Commons Select Committee, and requests that she can also be heard by the Select Committee considering the Bill in the House of Lords, both as a private citizen and as a Member of Parliament. This will enable her to articulate those matters that have changed since the House of Commons stage of the Bill.

3. Your petitioner’s concerns

Your petitioner objects to all adverse effects of the surface works, construction and operation of the railway within the Chesham and Amersham constituency and the Chilterns Area of Outstanding Natural Beauty. These concerns are detailed below. Your petitioner asserts that these concerns would be alleviated by extending the Chilterns bored tunnel to the end of the AONB.

3.1. AONB landscape and value of the AONB

Your petitioner is greatly concerned about the irreversible environmental damage that will be inflicted on the Chilterns Area of Outstanding Natural Beauty if this project goes ahead.

HS2 will bisect the Chilterns AONB at its widest part, and as it stands, 8.8km of the AONB is exposed to the line in cutting, ‘cut-and-cover’ tunnel, embankments, and viaducts, with the remainder in bored tunnel. The Chilterns AONB is a statutorily protected landscape under Section 85 of the Countryside and Rights of Way Act 2000, and is also protected under the National Planning Policy...
Framework and the European Landscape Convention. The Chilterns AONB is the largest area of unspoilt countryside closest to London, and attracts over 50 million visits per year.

Under the current proposals, your petitioner’s constituency is partly protected by tunnel, which provides good protection for the communities in the Chalfonts, Amersham, and Hyde Heath, as well as protecting three ancient woodlands. However, owing to the location of the tunnel portal at the north end of the village of South Heath, significant disruption will be experienced by the communities there and in Potter Row, as well as in Great Missenden.

**3.2. The AONB tunnel**

Your petitioner’s concerns can be mostly mitigated through an extended long and continuous bored tunnel throughout the whole of the Chilterns Area of Outstanding Natural Beauty.

Support for an extended tunnel through the Chilterns is substantial; it was the single biggest issue raised in the 21,833 responses to the Environmental Statement Consultation in 2014, and over 8,000 of those responses specifically requested a longer tunnel through the AONB.

Your petitioner has long argued that the current plans will decimate the landscape irreparably, and set a dangerous precedent for future major infrastructure projects in terms of environmental damage. The extension is supported by the Local Authorities in the area, the Chiltern Conservation Board, the Wildlife Trust, the Woodland Trust, the Chiltern Society, the Chesham Society, local tunnelling groups, and many individuals and businesses. HS2 Ltd has accepted that a full tunnel through the Chilterns is engineeringly feasible, can be built within its current timetable, and would provide greater environmental benefits than their current scheme. Unfortunately, the case for a tunnel extension was not accepted at the House of Commons Select Committee stage.

Under the AONB tunnel proposal, the line would continue in continuous bored tunnel emerging north of Wendover. This would avoid the need for two viaducts, 4km of cuttings, 1.7km of embankments, and one cut-and-cover tunnel, and would protect 1,432 homes from harmful noise and over 4,000 people from property blight. The tunnel would also ensure that the AONB landscape was as protected to the highest level.

If the full tunnel extension is not accepted, your petitioner asks that the tunnel be extended at least another mile to Leather Lane. The portal would then be located where the land falls away naturally, and it would be moved a crucial distance away from South Heath and Potter Row. Tunnelling groups argue that this proposal is cost neutral, and there are significant community and environmental gains.

Your petitioner also notes that the value of the AONB, with HS2 through it, has not been assessed, and requests that the Promoter undertakes a full quantitative analysis as soon as possible and publishes it publicly.

**3.3. Noise**

Your petitioner has concerns regarding the predicted levels of noise and vibration caused by the construction and operation of the railway.

Your petitioner is concerned that many of her constituents will be exposed to excessive noise, which may have health and wellbeing impacts, as well as adverse effects on the tranquillity of the Chilterns AONB. The Promoter, HS2 Ltd, is adopting noise thresholds which exceed those set by the World
Health Organisation, and there does not appear to be any allowance for existing rural and peaceful areas. Your petitioner is especially worried about constituents living in the proximity of the proposed tunnel portal in South Heath, particularly those behind the portal, and the possibility of a tunnel boom, which has not been negated by the Promoter.

Your petitioner is anxious about the noise thresholds for construction, which also exceed WHO guidelines. Construction is due to take place over several consecutive years, and the noise impacts on your petitioner’s constituency will be substantial over this time, not to mention the impacts of traffic and dust.

A bored tunnel throughout the whole of the Chilterns AONB would alleviate many of these impacts, or at the very least, noise levels should be kept in line with WHO guidelines and noise levels should be monitored throughout construction.

3.4. Trees and ancient woodland

Your petitioner requests that the Promoter should make a binding commitment to care and maintain the two million trees which will be planted, in order to fulfil their aim of no net loss of biodiversity.

Your petitioner is a long-standing supporter of the Woodland Trust, and supports their request that all further possible steps are taken to avoid the further loss of ancient woodland. Ancient woodland is an irreplaceable resource, and your petitioner asks that these areas and precious habitats are protected as far as possible by an extended bored tunnel. Otherwise, your petitioner asks that the Promoter commits to maintaining their trees, and undertakes the Woodland Trust’s request to implement a minimum planting ratio of 30:1.

3.5. Speed

Your petitioner is disappointed that the current route was originally adopted through the Chilterns AONB to maximise speed, yet the Promoter admits that the business case is not intended to focus on speed. This means that the Chilterns AONB is severed at its widest part unnecessarily, and the option for the new railway to follow existing transport corridors was abandoned.

Your petitioner requests that the speed of the trains is reduced from 360 km/hr to 300 km/hr, if an extended tunnel is not adopted. 300 km/hr is the speed of a TGV, and the reduction in speed would have great environmental and carbon benefits, as recognised by the House of Commons Environmental Audit Committee, and would ameliorate noise effects.

3.6. Air quality

Your petitioner is concerned that there may be potential negative impacts on air quality as a result of the construction and operation of HS2, and that the Promoter has not yet undertaken appropriate studies to evaluate these impacts. Your petitioner asks that these be completed immediately, and be made public.

3.7. Farmland and hedgerows

A number of farms and small holdings will be affected by the construction and operation of the railway in terms of land-take and tree planting. Your petitioner requests that the Promoter considers the impact on farmers and landowners closely, particularly in terms of any potential further land-take and impact on their businesses. Your petitioner also asks that the Promoter works with parish
councils to discuss the impact on farmland and hedgerows, and come to mutually agreeable solutions.

3.8. Spoil

Your petitioner welcomes the decision to reclassify the sustainable placement area at Hunts Green as a temporary, rather than permanent, site, but wishes to emphasise that this still poses significant impact for several years. Your petitioner objects to the use of an Area of Outstanding Natural Beauty for a spoil site in principle, and asks that every effort should be made to utilise a separate exit point outside of the AONB, and ensure that retained cuttings are used throughout to reduce impact on farms, homes, and the natural environment. Your petitioner would also benefit from an assurance from the Promoter that they will manage the spoil site appropriately, including covering, watering it down, and regular cleaning.

3.9. Hydrology and the River Misbourne

Your petitioner is concerned that the true impact of the railway on the River Misbourne has not been accurately or properly assessed by the Promoter. The River Misbourne is a rare chalk stream, forming part of a delicate and precious ecology system. As far as your petitioner understands, no sufficient proposal has been put forward by the Promoter to maintain the river during construction or protect it against contamination.

Your petitioner requests that the Promoter undertakes a full hydrological and geological assessment of the Misbourne Valley, with full public consultation, and that construction should not be allowed to begin before any issues, which may arise from this consultation, are resolved. Your petitioner also asks that the Promoter will accept liability for any damage to the River Misbourne and its surrounding area if it is damaged as a direct result of HS2.

3.10. Pylons

Your petitioner objects to the use of overground pylons in the Chilterns Area of Outstanding Natural Beauty, and is concerned about the subsequent visual intrusion on the landscape. Your petitioner requests that pylons and power lines associated with the project are buried underground in the Chilterns AONB. If this is not possible, your petitioner asks that they are incorporated sensitively within the existing landscape, in consultation with local residents.

3.11. Ventilation shafts

Your petitioner is concerned about the construction of the ventilation shafts within her constituency, which will involve heavy traffic movements and extended construction periods. Your petitioner asks that the Promoter works with local residents to formulate solutions that will limit disruption as far as possible. Your petitioner also requests that the Promoter works with the respective local communities around the ventilation shafts in the Chesham and Amersham constituency via a public consultation when designing the ventilation shafts themselves. This is intended to ensure that the shafts will blend in appropriately with the AONB landscape and surrounding villages.

3.12. Traffic

Your petitioner is greatly concerned about the level of disruption in her constituency caused by increased traffic movements and numerous road closures and diversion during the period of construction.
Your petitioner believes that many construction routes are unsuitable, crucial existing transport corridors will be severely congested for nearby communities at peak times, and the noise from increased traffic flows will be substantial. Construction traffic is due to affect large swathes of your petitioner’s constituency, most notably the A413, B4685, and the ventilation shaft construction routes. This will inevitably cause regular traffic jams, which the existing transport infrastructure cannot deal with, and will affect many local businesses and services.

Owing to recent FOI requests uncovering inaccurate traffic figures by the Promoter, your petitioner is worried that the predicted traffic measurements may still be incorrect. Your petitioner was also disappointed to discover that, in consultation with her local blue light services, none of them had been contacted by the Promoter to assist with their Traffic Management Plans, which seems to be a significant oversight.

Your petitioner is not yet convinced that a full and proper assessment of traffic has been undertaken by the Promoter, and asks that this is completed as soon as possible, to take into account blue light movements. Your petitioner also asks that the proposed haul road at Great Missenden joining to Link Road is moved further northwards to Leather Lane, in line with the proposal from Buckinghamshire County Council.

3.13. Businesses and tourism

Your petitioner is very concerned that both the construction and operation of the railway will have a significant and permanent negative impact on local businesses and tourism in the Chilterns AONB.

As previously mentioned, the Chilterns AONB attracts millions of tourists every year, and local businesses, many of whom rely on the success of tourism in the constituency, are very worried about the effect of HS2. Increased traffic movements during construction may affect access to local businesses, for instance in Great Missenden, and the visual intrusion of the railway above ground in the AONB may deter tourists from wishing to visit the area.

Your petitioner requests that the Promoter adopts an extended bored tunnel through the AONB, which would greatly alleviate these impacts, and considers retrospective compensation for local businesses who have been affected by these plans.


Your petitioner is dissatisfied and saddened by the unsatisfactory implementation of the compensation schemes to date, and continues to be concerned by the difficult circumstances of residents living in proximity to the line whose property values have been severely decimated.

Although your petitioner praises the improved Need to Sell scheme in contrast to the Exceptional Hardship scheme, she remains disappointed that deserving compensation cases have not yet been resolved by the Promoter, causing a great deal of stress and anxiety for those involved. Your petitioner also notes that, not only are some cases in her constituency unresolved, but those who are in the process of negotiation often face an arduous and painful journey to a resolution, which is unacceptable. Your petitioner also notes that valuations for properties are often made by out-of-area agents, causing inaccurate valuations.

Your petitioner requests that the Promoter continues to work with those whose properties are adversely affected by the proposed scheme, and resolve all remaining blight cases expediently. Your
petitioner asks that the Promoter instructs the use of local agents for valuations, ensuring real market value for properties. Your petitioner also requests that the Promoter implements a newly revised system of communications with residents, which were identified as unsatisfactory in a recent report by the Public Administration and Constitutional Affairs Committee, of which your petitioner is a member, and constituting 'maladministration' in a report by the Parliamentary and Health Service Ombudsman.

3.15. Safety

Your petitioner is concerned that there are a number of unresolved safety issues regarding the operation of the railway. Her and her constituents do not feel that sufficient reassurances have been given by the Promoter and the Department for Transport regarding the safe operation of HS2, and several technical issues remain.

Your petitioner asserts that, by lowering the speed of the trains, the risk of derailment is reduced, and noise impacts on the local residents are also decreased. Your petitioner also understands the risk of sabotage in exposed parts of line, which would be alleviated by an extended bored tunnel through the AONB.

Your petitioner is concerned about the effect of the construction works on the blue light services that operate locally and is concerned that neither ambulance, police nor fire services have been fully consulted locally.

3.16. Code of Construction Practice

Your petitioner is concerned that the current construction guidelines laid out by the Promoter are insufficient, and construction traffic and activity cannot be properly monitored by enforceable authorities. Your petitioner requests that the Code of Construction Practice is incorporated in to the hybrid bill to ensure standards in construction are implemented accordingly.

3.17. Adjudicator

Your petitioner has been concerned for some time that there is no true independent oversight to oversee the implementation of HS2, including construction.

Your petitioner requests that an independent regulatory body is set up by the Promoter, and at the cost of the Promoter, to hold them to account in terms of its promised mitigations and rate of construction progress. The Construction Commissioner/Complaints Commissioner proposed by the Promoter does not have the remit or expertise to adequately deal with a project of this grand scale. The provision of an independent body would allow a broad panel of experts to deal with residents’ concerns without delay, and would ensure that the impacts set out in the Environmental Statement are not exceeded.

As it stands, the Promoter and its contractors, whilst required to adopt measures to reduce the adverse environmental effects reported in the Environmental Statement, they only have to do so ‘provided that such measures are reasonably practicable’. Your petitioner feels that these words do not ensure enforceability, and the only way to do this is through an independent adjudicator.

Your petitioner has little confidence that the Promoter will deliver on its responsibilities in a dutiful way. Owing to the Promoter’s proven track record of poor communication, your petitioner asserts that the only way to proceed responsibly is by the implementation of a truly independent body.
4. The prayer

The petitioner therefore asks the House of Lords that she, or someone representing her, in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Rt Hon Cheryl Gillan MP
Member of Parliament for Chesham and Amersham

Date: 18 April 2016
To the House of Lords  
Session 2015–16 

PETITION against the  

High Speed Rail (London – West Midlands) Bill 

THE PETITION OF 

Declares that:

1. The petitioner(s) is/are specially and directly adversely affected by the whole bill. 

2. Your petitioner(s) is/are 

ROBERT GUY LANE AND  
CLAIRE YVONNE LANE, FIRST AND  
SECOND PETITIONERS, WHO RESIDE AT  
FLAT 2, 40 DELANCEY ST, LONDON NW1 7SA  
AND OWN A HOME AT 70 DELANCEY ST, 
LONDON NW1 7SA, WHICH THEY RENT OUT.
3. Your petitioner's concerns are

- Duration and extent of the HS2 project
- The use of construction compounds
- Adverse traffic effects, including noise and pollution
- Utility works producing noise and limited access
- Construction noise
- 24/7 construction hours
- Air pollution
- Dust emissions
- Vibration
- Residents' car parking reductions in spaces
- The use of the 200 car park for HGVs
- Blighted property values and no compensation offered yet

Health issues

Therefore your petitioner requests that the government commission an analysis of HS2 Ltd's current proposals and to provide for a new Euston station that is built within the existing footprint.

We also request that

- Delancey Street is not used as a construction route
- Materials & spoil are transported by rail/canal.
- London 200 car park is not used for HGVs
- Measures are taken to mitigate noise & vibration & pollution
- Fair market value of our homes is protected

We ask the House of Lords that the Delancey Street Residents' Association representatives be allowed to give evidence to the Select Committee.
4. The prayer

The petitioner(s) therefore ask(s) the House of Lords that (s)he/they, or someone representing her/him/them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner(s) remain(s), etc.

Name: .............................................. Signature: ..............................................

Name: .............................................. Signature: ..............................................

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Name: .............................................. Signature: ..............................................

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House of Lords Private Bill Office
House of Lords
London
SW1A 0PW

Lords HS2 Bill Team

phone: 020 7219 2468
fax: 020 7219 2571
email: hlprivatebills@parliament.uk

You can email a pdf scanned copy of your signed petition, and post the original, or just post the original, or take it in person to committee room 2A in the committee room corridor of the main houses of parliament between 10am & 5pm on weekdays. Leave time to get through security. You can check the information online:


Deposit your petition between 10am Thursday 24 March and 5pm Monday 18th April 2016, with a £20 fee.
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Mr Iain Dewar

Declares that:

1. The petitioner is specially and directly adversely affected by the whole bill.

2. Your petitioner is the Leaseholder of 32A Albert Street NW1 7NU and resides there with his partner, Ms Susie Quddus and his 17 year old daughter Hazel Dewar.

3. Albert Street runs parallel to Mornington Terrace to the west, which overlooks the Camden Cutting and approach to Euston Station. The property is part of a conservation area. Most of the houses in the street are grade II listed. It is a friendly mixed community with privately owned homes and social housing coexisting happily. Every summer there is a well-attended street party and the south end of the street is closed off the first Sunday of every month so that local children can use it to play together.

4. It is a very quiet area. Ironically, it is largely due to the railway that it is so peaceful. The cutting means that there is little through traffic. One source of traffic from outside the area is cars belonging to driving instructors who like to use the streets for lessons, because they are so safe and quite.
5. Your petitioner’s concerns are that the proposed hs2 scheme will have a devastating effect on his quality of life and that of his community. This is due to the unprecedentedly long period of construction and the associated noise and increased levels of pollution.

6. Directly the west, we be the massive amount of work to the Camden Cutting, Park Village East, Mornington Street Bridge and Granby Terrace Bridge. To the south, will be the replacement and doubling in length of the Hampstead Road Bridge. To the north, will be the lorry holding area at the London Zoo car park. We will be surrounded by numerous construction compounds, highways works, huge numbers of HGV movements, road closures and all of the associated pollution and traffic chaos.

7. Your Petitioner and partner are planning to expand their family. Any new child will spend their entire childhood living next to or near a building site. The works to the Cutting area will last for at least 10 years and other building sites in and around Euston for at least 18 years.

8. The public consultation carried out by hs2 has been appalling. The events held have been well attended but frustrating. Hs2 has used these events to present to residents what has already been decided. No effort has been made to take on board the concerns of local residents or to act on them.

9. Information provided has been at best vague. Diagrams have not been drawn to scale and mock ups of what the scheme will look like have been misleading. For example, there is little difference between the before and after images of the Hampstead Road Bridge, despite the proposed bridge being 4.8 meters higher than the existing one and twice as long.

10. The studies of current noise and pollution levels provided by hs2 are unconvincing and nowhere near comprehensive enough. The predictions of these levels during construction are equally suspect. No accurate measurement has been undertaken. Instead of on site readings, models have been used to calculate baseline noise levels. At my property levels were calculated for a 6 story building. My house is only 4 stories high.
11. Hs2 were initially keen to point out the poor condition of the existing Euston Station. A video, starring Rupert Walker, told of its leaking roof and dated design and much was made of Euston's impenetrable eastern wall. Now we are told that there is no committed plan or funds to rebuild Euston Station. Instead, a new scaled down station will be tacked onto its western side. This is not acceptable.

12. Under the current plans, residents of Summers Town will be left sandwiched between the 'impenetrable' Euston wall to their east and the equally impenetrable wall of St Pancras to their west. The design of St Pancras has been much praised but if you approach the station from the north or west, you are faced with a concrete wall twice the height of Euston's and almost as long. This concrete wind tunnel and oily taxi rank are about as far away from human centred design as it is possible to get. We fear that the same design principles have been employed in the new Hampstead Road Bridge and in and around the Camden Cutting.

Your petitioner requests that:

13. Euston station should be redesigned to ensure the best use of the site as a whole. It should offer good access and routs through from all sides, including the east of the station.

14. The Hampstead Road Bridge should be redesigned. The new design must sit comfortably in its environment. Every effort should be made to keep the bridge as close to its current height as possible. This would maintain views north to south and be more sympathetic to its setting. A truss bridge should not be ruled out, though it would need to be a design of high quality. More supporting pillars should be considered in order to maintain the current bridge height. If trains have to run more slowly to facilitate this, then it should still be considered. The bridge is so close to the station and we are now told that High Speed 2 is more about capacity than speed.

15. A commitment should be made to remove as much spoil as is possible by rail. Lorry journeys should be kept to an absolute minimum.

16. An independent and comprehensive survey of current noise, vibration and pollution levels should be commissioned and independently
monitored throughout construction. This information should be made public as it is gathered.

17. The lack of compensation being offered to London residents is scandalous. The idea that choosing to live in London means that you must forfeit any right to peace and quiet in your own home is ridiculous.

18. The Camden Cutting is one of the most affected areas along the whole of the rout of the hs2 line and yet it is amongst the least compensated.

19. The only compensation available to your Petitioner will be the Need to Sell Scheme. This would require me to persuade a panel of a compelling need to move house. The fact that I have become sick and tired of living on a massive building site, can’t get a good night’s sleep, are concerned for my family’s health and have completely fallen out or love with my home, would not be sufficient.

20. If your Petitioner was lucky enough to persuade the panel of a need to sell, I would be expected to accept an offer for our property of up to 15% less than asking price. This could amount to a loss of around £150,000. Add to this, taxes, fees and moving costs and the loss would be closer to £200,000. I understand that I would also be expected to try a ‘different’ asking price if the first was unsuccessful. All of this for a move that under normal circumstances we would not even be making.

21. The real purpose of the ‘Need to Sell’ test is clear; to save money and to prevent a mass exodus of the Euston area once the full effects of construction take hold. The requirement of a ‘compelling’ reason to sell ensures proof that the seller was going to move in any event. This precludes any need to compensate for stamp duty, estate agents fees and moving costs, compensation which is offered in rural areas.

22. A property compensation scheme should be designed specifically for urban areas and should be directly comparable to what is available in rural areas.

23. Home owners should not have to prove a need to sell. Home owners should not be expected to sell at a 15% loss or indeed at any loss.
24. If I fail to qualify under the Need to Sell Scheme, or decide that I can’t afford it, there is no compensation on offer for living with effects of 10 plus years of heavy construction work on our doorstep.

25. Compensation should be offered in the Euston area for suffering caused by the construction work. A special case should be made for the Camden Cutting area as the work undertaken there will be so highly intense and most of it will take place during the night and at weekends.

26. All of these issues should be resolved as soon as possible in order to relieve uncertainty for residents and allow them plan accordingly.

27. The House of Commons Select Committee largely avoided helping individual petitioners from Camden. They decided instead to deal with Camden Council. Perhaps they thought that it would be easier or more efficient to do so as Camden Council surly represent their petitioner’s interests. Sadly this is not the case.

28. Camden Council’s Euston Area Plan was used to represent the wishes of Camden residents. In fact the plan will be disastrous for my family. If implemented, there will be even more disruption in the Euston area and several new blocks of flats and a new school would be built meters from my home. This work would begin immediately as hs2 has packed up and moved on. No estimate has been made of how much time this added construction would take but it would clearly add many more years of misery.

29. Camden Council has successfully negotiated an expansion of the testing for noise mitigation to ‘almost 300 extra homes’. This was recently illustrated by a map of the area surrounding the Camden Cutting. All of these extra homes seem to be in council blocks. None of the period buildings have been included despite them being next to the blocks and in areas described by the map as having ‘major adverse effect of amenity’. I would like my property to be included in the expanded noise mitigation test.
The prayer

30. The petitioner therefore asks the House of Lords that he, in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Name: IAIN DEWAR Signature

18/04/2016
To the House of Lords Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Consort Property Limited, Ravensdown Limited, Cedarlane Limited and Heatwell Limited

Declares that:

1. The petitioners are specially and directly adversely affected by Clauses 1 to 19 and Schedules 1 and 5 to 10 of the Bill which set out the powers sought for the construction of the High Speed 2 railway, including the works proposed to be authorised and powers for the compulsory acquisition of land and rights in land proposed to be authorised by the Bill.

2. On 13 July 2015 the government deposited a proposed set of changes to the Bill ("Additional Provision 2"). The amendments to the Bill included in Additional Provision 2 consist of various additional rights over new parcels of land, including 6 parcels owned by the petitioners.

Your petitioners

3. The petitioners are property and investment companies with extensive land holdings across London, including land and buildings at Victoria Road, London NW10 6ND ("the Property"). The petitioners' business comprises the acquisition and ownership of property, development and regeneration of land and the management and letting of land and premises. The petitioners take a long-term, strategic approach to property investment, tending to hold properties for substantial lengths of time and, where possible, realising their development potential. The four petitioners own the property affected by the Bill in equal proportion.

4. The Bill, as amended, seeks to authorise the compulsory acquisition of land for the purposes of widening the highway of Victoria Road and for a conveyor and construction compound. The Bill seeks to authorise the compulsory purchase of 6 parcels of land owned by the petitioners in this location.

5. The land sought to be compulsorily acquired comprises the warehouse and office building known as Stuart and Windsor House, as well as surrounding land used for access, parking and external storage.

6. Stuart and Windsor House comprises approximately 104,000 sq.ft. of
warehouse and ancillary office space, spread over 4 floors. The warehouse and office space currently is leased to A&M Hire Limited. Stuart and Windsor House also accommodates an electricity substation leased to SSE Services plc and a telecommunications mast leased to Vodafone Ltd. The external parking and storage space is licensed to and occupied by Motorsense LTD.

7. The petitioners have owned the property since 1998. The property has been continuously let in this time and the petitioners’ intentions are to maintain and, wherever possible, enhance the value of the asset within their property portfolio.

8. As a result, the petitioners are directly and specifically adversely affected by the Bill’s provisions.

Your petitioners’ concerns

9. The petitioners’ principal objection centres on the lack of need for the Property to be acquired for the purposes of the scheme. The petitioners do not believe that any valid case has been made for the late amendments to the original plans proposed in Additional Provision 2 as they affect the property.

10. Additional Provision 2 provides for a temporary conveyor for construction purposes to be situated in the location of the Property. In the original plans submitted in 2013 this conveyor was to be located to the west of the Acton Wells Junction – Cricklewood Railway, which is on the western boundary of the property. In its originally proposed location the temporary conveyor would not have required the acquisition and demolition of any buildings and would have resulted in the acquisition of substantially less land in total than under the Additional Provision 2 proposals.

11. No proposal to take any of the petitioners’ land or property was included in the Bill as originally submitted to Parliament. It is only with the submission of Additional Provision 2 that the proposers have identified, but not explained, a supposed need to acquire the property as a result of the relocation of the conveyor (Work No. 1/46), whereas it was previously routed to avoid the Property and to be more efficient in its land-take. The petitioners submit that it is reasonable to assume that the land-take for this purpose identified in the original plans was sufficient to facilitate the necessary works and operations and that any proposal to increase the land-take should be fully justified by the proposers. In the absence of such justification, the petitioners believe the proposals relating to the Property in Additional Provision 2 to be disproportionate and unreasonable.
12. The petitioners submit that there is, to use the test set out in the Office of the Deputy Prime Minister Circular 06/94 on Compulsory Purchase Orders, no compelling case in the public interest for the taking of the property.

13. This is because no justification for the extent of the area of the new satellite compound for which, in part, the Property is sought, is set out. It is a fundamental principle of compulsory acquisition that the power must be exercised proportionately and that no more land should be taken than is reasonably necessary to allow the purposes of the proposed scheme to be fulfilled.

14. The proposed land-take for the conveyor and compound has increased very substantially and no explanation has been given for this.

15. Further, the limits of deviation for Work No. 1/46 are drawn very widely for the provision only of a conveyor. No justification is given for the width of the proposed limits of deviation.

16. The scheme proposers give no justification for the relocation of Work No. 1/46 onto the Property. The petitioners see no reason why Work No. 1/46 could not be left as originally submitted, which appears to them to involve no demolition of property. Alternatively, the conveyor could be located next to the Action Wells Junction – Cricklewood Railway on railway land, again without requiring the demolition of the Property.

17. It is submitted that the petitioners’ land has been included in Additional Provision 2 only to provide a frontage for later development of the compound following completion of the railway. It is not necessary for the Property to be taken for the purposes of construction of the railway, or its maintenance or operation.

18. It is proposed that the acquisition of the frontage of the Property will facilitate the widening of Victoria Road. No explanation has been given for the widening of this road. The petitioners submit that this work is not necessary and, as well as adversely affecting their interests, will result in unnecessary harm to the residential properties on the opposite side of Victoria Road.

19. The petitioners submit, also, that by remaining in situ the Property would form a useful screen between the proposed railway works and the residential properties located to the south of the property. It would form a visual screen and also reduce noise impacts on the residents who will otherwise be adversely affected by the existence of the proposed conveyor and compound.
20. Consequently, the petitioners submit that the Bill as proposed causes disproportionate harm to their interests. The petitioners therefore submit that the Clauses seeking to authorise compulsory acquisition together with the deposited plans relating the Property should not be allowed to pass into law and that the original scheme to locate the temporary conveyor to the west of the Action Wells Junction – Cricklewood railway should be re-instated.

The prayer

The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

David Massingham
Agent

18 April 2016
To the House of Lords Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Inner City Properties Limited

Declares that:

1. The petitioner is specially and directly adversely affected by Clauses 1 to 19 and Schedules 1 and 5 to 10 of the Bill which set out the powers sought for the construction of the High Speed 2 railway, including the works proposed to be authorised and powers for the compulsory acquisition of land and rights in land proposed to be authorised by the Bill.

2. On 13 July 2015 the government deposited a proposed set of changes to the Bill (“Additional Provision 2”). The amendments to the Bill included in Additional Provision 2 consist of various additional rights over new parcels of land, including 5 parcels owned by the petitioner.

Your petitioner

3. The petitioner is a property and investment company with extensive land holdings across London, including land and buildings at Victoria Road, London NW10 6ND (“the Property”). The petitioner’s business comprises the acquisition and ownership of property, development and regeneration of land and the management and letting of land and premises. The petitioner takes a long-term strategic approach to property investment, tending to hold properties for substantial lengths of time and, where possible, realising their development potential.

4. The Bill, as amended, seeks to authorise the compulsory acquisition of land for the purposes of widening the highway of Victoria Road and for a conveyor belt and construction compound. The Bill seeks to authorise the compulsory acquisition of 5 parcels of land owned by the petitioner.

5. The land sought to be compulsorily acquired comprises the warehouse building known as Plantagenet House, as well as surrounding land used for access, parking and external storage.

6. Plantagenet House comprises approximately 60,000 square feet of warehouse and ancillary office space, spread over 2 floors. The building currently is leased to Motorsense Limited, with external parking occupied by Capelevel Limited.
7. The petitioner has owned the Property since October 1997. The Property has been continuously let in this time and the petitioner's intentions are to maintain and, wherever possible, enhance the value of the asset within its property portfolio.

8. As a result, the petitioner is directly and specifically adversely affected by the Bill's provisions.

Your petitioner's concerns

9. The petitioner's principal objection centres on the lack of need for the property to be acquired for the purposes of the scheme. The petitioner does not believe that any valid case has been made for the late amendments to the original plans proposed in Additional Provision 2 as they affect the Property.

10. Additional Provision 2 provides for a temporary conveyor for construction purposes to be situated in the location of the Property. In the original plans submitted in 2013, this conveyor was to be located to the west of the Acton Wells Junction – Cricklewood Railway, which is on the western boundary of the Property. In its originally proposed location the temporary conveyor would not have required the acquisition and demolition of any buildings and would have resulted in the acquisition of substantially less land in total than under the Additional Provision 2 proposals.

11. No proposal to take any of the petitioner's land or property was included in the Bill as originally submitted to Parliament. It is only with the submission of Additional Provision 2 that the proposers have identified, but not explained, a supposed need to acquire the Property as a result of the proposed relocation of the conveyor (Work NO. 1/46), whereas it was previously routed to avoid the Property and to be more efficient in its land-take. The petitioner submits that it is reasonable to assume that the land-take for this purpose identified in the original plans was sufficient to facilitate the necessary works and operations and that any proposal to increase the land-take should be fully justified by the proposers. In the absence of such justification, the petitioner believes the proposals relating to the Property in Additional Provision 2 to be disproportionate and unreasonable.

12. The petitioner submits that there is, to use the test set out in the Office of the Deputy Prime Minister Circular 06/94 on Compulsory Purchase Orders, no compelling case in the public interest for the taking of the Property.

13. This is because no justification for the extent of the area of the new
satellite compound, for which, in part, the Property is sought, is set out. It is a fundamental principle of compulsory acquisition that that the power must be exercised proportionately and that no more land should be taken than is reasonably necessary to allow the purposes of the proposed scheme to be fulfilled.

14. The proposed land-take for the conveyor and compound has increased very substantially and no explanation has been given for this.

15. Further, the limits of deviation for Work No. 1/46 are drawn very widely for the provision only of a conveyor. No justification is given for the width of the proposed limits of deviation.

16. The scheme promoters give no justification for the relocation of Work No. 1/46 onto the Property. The petitioner sees no reason why Work No. 1/46 could not be left as originally submitted, which appears to them to involve no demolition of property. Alternatively, the conveyor could be located next to the Action Wells Junction – Cricklewood Railway on railway land, again without requiring the demolition of the Property.

17. It is submitted that the petitioner’s land has been included in Additional Provision 2 only to provide a frontage for later development of the compound following completion of the railway. It is not necessary for the Property to be taken for the purposes of construction of the railway, or its maintenance or operation.

18. It is proposed that acquisition of the frontage of the property will facilitate the widening of Victoria Road. No explanation has been given to justify the widening of this road. The petitioner submits that this work is not necessary and, as well as adversely affecting their interests, will result in unnecessary significant harm to the residential properties on the opposite side of Victoria Road.

19. The petitioner submits, also, that by remaining in situ the Property would form a useful screen between the proposed railway works and the residential properties located to the south of the Property. It would form a visual screen and also reduce noise impacts on the residents who will otherwise be adversely affected by the existence of the proposed conveyor and compound.

20. Consequently, the petitioner submits that the Bill as proposed causes disproportionate harm to their interests. The petitioner therefore submits that the Clauses seeking to authorise compulsory acquisition together with the deposited plans relating to the Property should not be allowed to pass into law and that the original scheme to locate the temporary conveyor to
the west of the Action Wells Junction – Cricklewood Railway should be re-instated.

_The prayer_

The petitioner therefore asks the House of Lords that he, or someone representing him in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

David Massingham

Agent

18 April 2016
To the House of Lords

Session 2015-16

Petition against the

High Speed Rail (London – West Midlands) Bill

The petition of John Parry

Declares that

(1) Your petitioner is specifically and directly adversely affected by the whole Bill

(2) Your petitioner John Parry and his wife Rosemary are owners of 31 Mornington Terrace
London NW1 7RS, which directly fronts on to the limits of land to be acquired or used for the
proposed railway and associated works, and will be directly affected by the proposals of the
bill.

(3) For forty five years we have enjoyed relatively tranquil surrounding and local amenities, and
have spent considerable time and substantial sums of money to renovate our home, a Grade
II listed terraced building. We have no wish to leave our home and hope to spend our
remaining years there.

Now at the age of 78, whilst we were looking forward to further enjoyment of the fruits of our
labour, we now find that we are faced with the prospect of living on the edge of a construction site
with the inevitable noise, much of it outside core hours i.e. 24 hour working, the aspect of cranes,
pneumatic drills, pile drivers and other construction equipment instead of the Nash designed houses
and cottages with the surrounding trees. There will also be considerable HGV traffic on our
residential road, with possible loss of parking together with some road closures and diversions.

The safeguarding zone ends at the front of our property. Concessions and compensation offered to
other affected parties in other parts of the route do not apply, despite our property being closer to
the work site and directly overlooking it. Our house is less than 100 metres from Mornington Street
bridge, which is to be demolished to facilitate the building of the new railway. However we are probably just over 120 metres from the tracks of the new high speed line and are therefore outside the arbitrary safeguarded area, and as such not entitled to any compensation. This we feel is grossly unfair since we shall be very close to major demolition and engineering work. We fully appreciate the government wishes to proceed with the project and that this will inevitably cause disruption, inconvenience, noise and general irritation.

We therefore ask that a reassessment of the limits of compensation should be made to include houses in Mornington Terrace in terms of the values of the property in the event of a sale.

We also invested in another property in Mornington Terrace, to provide us with a good part of our pension and the works will inevitably have an adverse effect on the rents obtainable and increase the probability of lengthy periods of vacancy (would you rend a flat overlooking a building site with 24 hour working?) The promoter does not appear to offer any positive compensation other than at their discretion. Surely it would seem fairer that compensation be made by right and that the level of compensation overseen and agreed by a totally independent body. We would ask therefore that this requirement is incorporated into the law governing the project.

We therefore ask that a reassessment of the limits of compensation should be made to include houses in Mornington Terrace in terms of the rental income of the property relative to comparable properties in the area which are unaffected by the project.

Your petitioner shares the concerns of the Cutting Group, and the Mornington Terrace Group, and is aware of assurances made to Camden, but they do not go far enough in protecting local residents.

(4) The prayer

The petitioner therefore asks the House of Lords that he in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Name: John E.V. Parry

Signature:
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Sara-Jane Olivia Stillwell Declares that:
1. The petitioner (‘Your Petitioner’) is specially and directly adversely affected by the whole Bill

2. Your petitioner
Your Petitioner is Sara-Jane Olivia Stillwell, who the Bill will specially and directly affect, both during construction and after completion, by the proposed HS2 line. Your Petitioner lives in Dunsmore adjacent to that part of the Chilterns Area of Outstanding Natural Beauty (AONB) which the Bill will specially and directly affect.

Your Petitioner is injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

3. Your Petitioner’s concerns

3.1. Tunnel throughout the Chilterns AONB
Your Petitioner as a resident of Wendover and its environs in the Chiltern AONB is concerned about the serious and injurious effect of the currently intended proposals regarding this part of the AONB and on the town of Wendover.

In this respect, between South Heath and Wendover, Buckinghamshire, the Proposed Route is on the surface and includes sections in cuttings, and on two large and intrusive viaducts and on embankments. This area is designated as an Area of Outstanding Natural Beauty under Section 85 of the Countryside and Rights of Way Act 2000 (CROW Act) and is further protected under the National Planning Policy Framework and the European Landscape Convention.

Your Petitioner contends that building HS2 on the surface in this section will permanently destroy the tranquility of the area and the beauty of its landscapes,
qualities that lead to the AONB being visited over 50 million times a year by visitors from London and other areas, have severe adverse effects on the reputation, social, environmental and economic cohesion of the communities in the area during and for a period after its construction. It will permanently and seriously reduce the ability of residents of the area and the numerous visitors to enjoy the natural benefits of the area in which they live.

Your petitioner is also seriously concerned about the disruptions to his household which will result from the construction of the line and the dust, noise, hours of work, vibration, traffic movements, congestion and access problems and other implications during what will be a long period of construction. Your Petitioner contends that the use of 6 metre sound barriers will seriously degrade the environment of Wendover and radically alter the character of the town and have a negative commercial effect. Your petitioner needs to use the narrow lanes and roads which will cross and be affected by the construction of the proposed line and needs to use the roads for access to Wendover and its surrounding areas, in particular, for shopping, recreation, medical services and rail, as well as to gain access to the A413 for London and all other areas. Your petitioner further regards this network of narrow lanes in the AONB as a characteristic feature of the area and is also concerned about proposals to use some of these narrow country lanes for construction vehicles and access to the trace and to and from the A413 and elsewhere.

Your Petitioner requests that the Chiltern AONB be further protected by extending the presently proposed bored tunnel beyond Wendover, by requiring the construction of an extended tunnel, based on the T3i proposals, as developed by HS2 Limited, to ensure that the line passes through the whole of the AONB in a bored tunnel. The extended tunnel proposals have been referred to in the Environmental Statement and accepted by DfT and HS2 Ltd as both feasible and environmentally preferable. This proposal has been extensively discussed with local councils and action groups and within the local area forums, and is supported by them. The adoption of this proposal, which is jointly submitted and will be presented with others, would substantially remove the adverse effects complained of in the remainder of this petition and the need for most of the proposed remedies otherwise required.

Your Petitioner requests that an independent assessment of cost including in respect of full AONB tunneling and a full cost benefit analysis is undertaken in relation to the AONB area before any construction works commence in this area.

3.2. Your Petitioner accordingly emphasizes that, if the Bill were to be amended to include the provision of a fully bored tunnel throughout the AONB to the North of Wendover as referred to in paragraph 3.1 above, then, whilst the mitigation measures set out in paragraphs 3.2 and 3.3 below would, in large measure, be unnecessary and their impacts
would be otherwise effectively mitigated, your Petitioner requests that, except to the extent met by any such provision, the following mitigation measures should be adopted and implemented

Hierarchy of Mitigation

a. That possible further extensions of the tunnel from South Heath and at Wendover by boring or mining be adopted, particularly as this also has acknowledged environmental benefits.
b. That, if that is not accepted, then the line along this section of the track be housed within deeper cuttings, with improved mitigation and bunds, where appropriate, to seek to reduce noise and to conceal the line and the gantries and that the power for the contractor to raise the line by up to 3 meters is excluded for the AONB section of the line.
c. That the existing proposed green tunnel at Wendover be replaced by a bored or mined tunnel extended to the south and north of Wendover to remove the need for 2 viaducts and the linking embankment. This would also help protect the Bacombe aquifer from huge damage and solve potential hydrogeological problems.
d. That provision is made for constructing bridges where there is established rights of way, including making these Green Bridges, bearing in mind not only the need to retain trees and shrubs but also the need to preserve wildlife access, particularly given that this is part of the AONB.
e. That the speed of the trains be reduced as per the recommendation of the House of Commons Environmental Audit Select Committee Report in order to help reduce the environmental impact and sufficient to ensure compliance of noise mitigation with the World Health Organization standards.
f. That the Wendover Dean and Small Dean viaducts and adjacent embankments be of the highest quality design and the infrastructure to be made as visually pleasing as possible, with enclosures where possible and with the maximum use of noise barriers on both sides, including boxing in if necessary.
g. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow to at least forty feet high, in order to conceal the line from view at the earliest possible time.
h. That the plans for the current Hunts Green Spoil Dump are substantially reduced and minimized and that arrangements are made for the spoil to be removed from the area by rail or pipeline. Your Petitioner points out that, if the full tunnel proposals are adopted, then the amount of spoil involved for this section of the line will be substantially reduced and it could also be removed, including by rail, at the Wendover exit of the tunnel, or, if bored one way, from the M 25 end of the tunnel.
i. That in relation to the balancing ponds, alternative sustainable urban drainage system techniques are considered in consultation with the local
authority and that any ponds should not be artificially lined.

j. That in relation to the River Misbourne, and water supply, full surveys and continuing monitoring should be undertaken regarding water quality and the effect of the construction works, with actions undertaken, including cessation of construction in this area, if any adverse impacts are found.

k. That the pylons along this section of the line are removed and the power lines are reinstated underground.

l. That it is specified that for the AONB, the line should have specially designed and constructed gantries designed to be as compatible and as unobtrusive as possible with the AONB environment and which designs shall first be subject to prior full consultation with local authorities and other local concerns for the area.

m. That the local authorities for areas along the proposed line should be reimbursed and compensated for additional expenditure and losses incurred in relation to their involvement and responsibilities in all aspects of the construction and operation of the proposed line.

n. That there should be established a Chilterns AONB Review Group as envisaged and described in, and with the powers and responsibilities as set out in, the amendments to the Bill regarding the same as proposed by Cheryl Gillan and Keith Baker for consideration at the Report Stage of the Bill in the House of Commons.

o. That there should be established an independent HS2 Adjudicator with the duties, powers and functions as set out in the amendments regarding the same under the name of Cheryl Gillan and others relating thereto as proposed for consideration at the Report Stage of the Bill in the House of Commons.

p. That arrangements should be made for independent local Valuers to be appointed to advise the Promoter in relation to compensation assessments and Need to Sell Scheme and other property valuations.

3.3 Your Petitioner further requests that the nominated undertaker be required to mitigate the remaining nuisances, by giving the Code of Construction Practice legal effect with independent assessment of compliance and sanctions for breach of the Code. In addition, your Petitioner requests that the Code should specify, in all cases, the required mitigation work, facilities and construction be undertaken to the best available standards and techniques and to the highest standard of construction and operation of the railway and its associated developments and, in particular, that the Code or requirements in the Bill be so amended to enforce the following measures:

a. Restricting HGV daily movements to the period between 09:30 and 15:30 throughout this section of the line, and particularly along the A 413.

b. Additionally prohibiting HGV movements to and along the A413 during busy
traffic periods and along school routes between 08.00 and 09.00 and between 15:00 and 15:30 during school terms.
c. Prohibiting any widening or enlargement of the narrow minor lanes
d. Constructing new roads for the contractors and vehicles to access the trace directly from the A413, including new haul roads, to avoid linking the same with the Link Road roundabout at Great Missenden and at Rocky Lane and prohibiting the use of all existing narrow minor roads in the AONB by construction traffic.
e. That the Promoter and the contractors should be required to construct the railway to ensure that during construction and operation of the line noise, dust and vibration is minimized to meet the highest standards applicable and controlled and that air quality is maintained
f. Constructing such facilities as may be necessary to remove spoil from the AONB area, including by rail or by pipeline, to apply proper methods of dealing with spoil and avoiding the creation of the spoil dump at Hunts Green.
g. That contractors in the AONB will be required to restore the land and temporary access roads after use to acceptable AONB landscaping and that local authorities be given the power to inspect such works and if necessary sanction contractors. During construction, the nominated undertaker must be responsible for maintaining the quality of all roads used during and after construction, so that the roads must be returned to their original size and character, and all damage repaired by the nominated undertaker.
h. That the Promoter provides an air ambulance with crew on standby during working hours, to ensure that medical emergencies receive a prompt response given the traffic congestion that will on the main emergency routes.
i. That appropriate arrangements be made and put in place, including for the Promoter of the Bill to provide or secure the provision of the necessary additional finance, to enable the local police forces to increase policing and to put in place other protective arrangements in order to reduce the risk of crime in the area during construction
j. A hotline should be set up allowing residents to raise any issues of concern arising during construction and in particular for road users to report any damage to the roads, and the local and highway authorities should have access to all reports to ensure these are addressed and remedied in a timely manner.
4. The prayer

The petitioner therefore asks the House of Lords that your petitioner, or someone representing your petitioner in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Sara-Jane Olivia Stillwell

15/04/2016
PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF James Anthony Stillwell Declares that:

1. The petitioner ("Your Petitioner") is specially and directly adversely affected by the whole Bill

2. Your petitioner

Your Petitioner is James Anthony Stillwell, who the Bill will specially and directly affect, both during construction and after completion, by the proposed HS2 line. Your Petitioner lives in Dunsmore adjacent to that part of the Chilterns Area of Outstanding Natural Beauty (AONB) which the Bill will specially and directly affect.

Your Petitioner, is injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

3. Your Petitioner's concerns

3.1. Tunnel throughout the Chilterns AONB

Your Petitioner as a resident of Wendover and its environs in the Chiltern AONB is concerned about the serious and injurious effect of the currently intended proposals regarding this part of the AONB and on the town of Wendover.

In this respect, between South Heath and Wendover, Buckinghamshire, the Proposed Route is on the surface and includes sections in cuttings, and on two large and intrusive viaducts and on embankments. This area is designated as an Area of Outstanding Natural Beauty under Section 85 of the Countryside and Rights of Way Act 2000 (CROW Act) and is further protected under the National Planning Policy Framework and the European Landscape Convention.

Your Petitioner contends that building HS2 on the surface in this section will permanently destroy the tranquility of the area and the beauty of its landscapes,
qualities that lead to the AONB being visited over 50 million times a year by visitors from London and other areas, have severe adverse effects on the reputation, social, environmental and economic cohesion of the communities in the area during and for a period after its construction. It will permanently and seriously reduce the ability of residents of the area and the numerous visitors to enjoy the natural benefits of the area in which they live.

Your petitioner is also seriously concerned about the disruptions to his household which will result from the construction of the line and the dust, noise, hours of work, vibration, traffic movements, congestion and access problems and other implications during what will be a long period of construction. Your Petitioner contends that the use of 6 metre sound barriers will seriously degrade the environment of Wendover and radically alter the character of the town and have a negative commercial effect. Your petitioner needs to use the narrow lanes and roads which will cross and be affected by the construction of the proposed line and needs to use the roads for access to Wendover and its surrounding areas, in particular, for shopping, recreation, medical services and rail, as well as to gain access to the A413 for London and all other areas. Your petitioner further regards this network of narrow lanes in the AONB as a characteristic feature of the area and is also concerned about proposals to use some of these narrow country lanes for construction vehicles and access to the trace and to and from the A413 and elsewhere.

Your Petitioner requests that the Chilterns AONB be further protected by extending the presently proposed bored tunnel beyond Wendover, by requiring the construction of an extended tunnel, based on the T3i proposals, as developed by HS2 Limited, to ensure that the line passes through the whole of the AONB in a bored tunnel. The extended tunnel proposals have been referred to in the Environmental Statement and accepted by DfT and HS2 Ltd as both feasible and environmentally preferable. This proposal has been extensively discussed with local councils and action groups and within the local area forums, and is supported by them. The adoption of this proposal, which is jointly submitted and will be presented with others, would substantially remove the adverse effects complained of in the remainder of this petition and the need for most of the proposed remedies otherwise required.

Your Petitioner requests that an independent assessment of cost including in respect of full AONB tunneling and a full cost benefit analysis is undertaken in relation to the AONB area before any construction works commence in this area.

3.2. Your Petitioner accordingly emphasizes that, if the Bill were to be amended to include the provision of a fully bored tunnel throughout the AONB to the North of Wendover as referred to in paragraph 3.1 above, then, whilst the mitigation measures set out in paragraphs 3.2 and 3.3 below would, in large measure, be unnecessary and their impacts
would be otherwise effectively mitigated, your Petitioner requests that, except to the extent met by any such provision, the following mitigation measures should be adopted and implemented

Hierarchy of Mitigation

a. That possible further extensions of the tunnel from South Heath and at Wendover by boring or mining be adopted, particularly as this also has acknowledged environmental benefits.

b. That, if that is not accepted, then the line along this section of the track be housed within deeper cuttings, with improved mitigation and bunds, where appropriate, to seek to reduce noise and to conceal the line and the gantries and that the power for the contractor to raise the line by up to 3 meters is excluded for the AONB section of the line.

c. That the existing proposed green tunnel at Wendover be replaced by a bored or mined tunnel extended to the south and north of Wendover to remove the need for 2 viaducts and the linking embankment. This would also help protect the Bacombe aquifer from huge damage and solve potential hydrogeological problems.

d. That provision is made for constructing bridges where there is established rights of way, including making these Green Bridges, bearing in mind not only the need to retain trees and shrubs but also the need to preserve wild life access, particularly given that this is part of the AONB.

e. That the speed of the trains be reduced as per the recommendation of the House of Commons Environmental Audit Select Committee Report in order to help reduce the environmental impact and sufficient to ensure compliance of noise mitigation with the World Health Organization standards.

f. That the Wendover Dean and Small Dean viaducts and adjacent embankments be of the highest quality design and the infrastructure to be made as visually pleasing as possible, with enclosures where possible and with the maximum use of noise barriers on both sides, including boxing in if necessary.

g. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow to at least forty feet high, in order to conceal the line from view at the earliest possible time.

h. That the plans for the current Hunts Green Spoil Dump are substantially reduced and minimized and that arrangements are made for the spoil to be removed from the area by rail or pipeline. Your Petitioner points out that, if the full tunnel proposals are adopted, then the amount of spoil involved for this section of the line will be substantially reduced and it could also be removed, including by rail, at the Wendover exit of the tunnel, or, if bored one way, from the M 25 end of the tunnel.

i. That in relation to the balancing ponds, alternative sustainable urban drainage system techniques are considered in consultation with the local
authority and that any ponds should not be artificially lined.

j. That in relation to the River Misbourne, and water supply, full surveys and continuing monitoring should be undertaken regarding water quality and the effect of the construction works, with actions undertaken, including cessation of construction in this area, if any adverse impacts are found

k. That the pylons along this section of the line are removed and the power lines are reinstated underground.

l. That it is specified that for the AONB, the line should have specially designed and constructed gantries designed to be as compatible and as unobtrusive as possible with the AONB environment and which designs shall first be subject to prior full consultation with local authorities and other local concerns for the Area.

m. That the local authorities for areas along the proposed line should be reimbursed and compensated for additional expenditure and losses incurred in relation to their involvement and responsibilities in all aspects of the construction and operation of the proposed line

n. That there should be established a Chilterns AONB Review Group as envisaged and described in, and with the powers and responsibilities as set out in, the amendments to the Bill regarding the same as proposed by Cheryl Gillan and Keith Baker for consideration at the Report Stage of the Bill in the House of Commons

o. That there should be established an independent HS2 Adjudicator with the duties, powers and functions as set out in the amendments regarding the same under the name of Cheryl Gillan and others relating thereto as proposed for consideration at the Report Stage of the Bill in the House of Commons

p. That arrangements should be made for independent local Valuers to be appointed to advise the Promoter in relation to compensation assessments and Need to Sell Scheme and other property valuations

3.3 Your Petitioner further requests that the nominated undertaker be required to mitigate the remaining nuisances, by giving the Code of Construction Practice legal effect with independent assessment of compliance and sanctions for breach of the Code. In addition, your Petitioner requests that the Code should specify, in all cases, the required mitigation work, facilities and construction be undertaken to the best available standards and techniques and to the highest standard of construction and operation of the railway and its associated developments and, in particular, that the Code or requirements in the Bill be so amended to enforce the following measures:

a. Restricting HGV daily movements to the period between 09:30 and 15:30 throughout this section of the line, and particularly along the A413

b. Additionally prohibiting HGV movements to and along the A413 during busy
traffic periods and along school routes between 08.00 and 09.00 and between 15:00 and 15:30 during school terms.

c. Prohibiting any widening or enlargement of the narrow minor lanes
d. Constructing new roads for the contractors and vehicles to access the trace directly from the A413, including new haul roads, to avoid linking the same with the Link Road roundabout at Great Missenden and at Rocky Lane and prohibiting the use of all existing narrow minor roads in the AONB by construction traffic.

e. That the Promoter and the contractors should be required to construct the railway to ensure that during construction and operation of the line noise, dust and vibration is minimized to meet the highest standards applicable and controlled and that air quality is maintained

f. Constructing such facilities as may be necessary to remove spoil from the AONB area, including by rail or by pipeline, to apply proper methods of dealing with spoil and avoiding the creation of the spoil dump at Hunts Green.

g. That contractors in the AONB will be required to restore the land and temporary access roads after use to acceptable AONB landscaping and that local authorities be given the power to inspect such works and if necessary sanction contractors. During construction, the nominated undertaker must be responsible for maintaining the quality of all roads used during and after construction, so that the roads must be returned to their original size and character, and all damage repaired by the nominated undertaker.

h. That the Promoter provides an air ambulance with crew on standby during working hours, to ensure that medical emergencies receive a prompt response given the traffic congestion that will on the main emergency routes.

i. That appropriate arrangements be made and put in place, including for the Promoter of the Bill to provide or secure the provision of the necessary additional finance, to enable the local police forces to increase policing and to put in place other protective arrangements in order to reduce the risk of crime in the area during construction.

j. A hotline should be set up allowing residents to raise any issues of concern arising during construction and in particular for road users to report any damage to the roads, and the local and highway authorities should have access to all reports to ensure these are addressed and remedied in a timely manner.
4. *The prayer*

The petitioner therefore asks the House of Lords that your petitioner, or someone representing your petitioner in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

James Anthony Stillwell

15/04/2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Ivan Stillwell

 Declares that:
1. The petitioner (‘Your Petitioner’) is specially and directly adversely affected by the whole Bill
2. Your petitioner

Your Petitioners is Ivan Stillwell, who the Bill will specially and directly affect, both during construction and after completion, by the proposed HS2 line. Your Petitioner lives in Wendover adjacent to that part of the Chilterns Area of Outstanding Natural Beauty (AONB) which the Bill will specially and directly affect.

Your Petitioner, is injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

3. Your Petitioner’s concerns

3.1. Tunnel throughout the Chilterns AONB
Your Petitioner as a resident of Wendover and its environs in the Chiltern AONB is concerned about the serious and injurious effect of the currently intended proposals regarding this part of the AONB and on the town of Wendover.

In this respect, between South Heath and Wendover, Buckinghamshire, the Proposed Route is on the surface and includes sections in cuttings, and on two large and intrusive viaducts and on embankments. This area is designated as an Area of Outstanding Natural Beauty under Section 85 of the Countryside and Rights of Way Act 2000 (CROW Act) and is further protected under the National Planning Policy Framework and the European Landscape Convention.
Your Petitioner contends that building HS2 on the surface in this section will permanently destroy the tranquility of the area and the beauty of its landscapes, qualities that lead to the AONB being visited over 50 million times a year by visitors from London and other areas, have severe adverse effects on the reputation, social, environmental and economic cohesion of the communities in the area during and for a period after its construction. It will permanently and seriously reduce the ability of residents of the area and the numerous visitors to enjoy the natural benefits of the area in which they live.

Your petitioner is also seriously concerned about the disruptions to his household which will result from the construction of the line and the dust, noise, hours of work, vibration, traffic movements, congestion and access problems and other implications during what will be a long period of construction. Your Petitioner contends that the use of 6 meter sound barriers will seriously degrade the environment of Wendover and radically alter the character of the town and have a negative commercial effect. Your petitioner needs to use the narrow lanes and roads which will cross and be affected by the construction of the proposed line and needs to use the roads for access to Wendover and its surrounding areas, in particular, for shopping, recreation, medical services and rail, as well as to gain access to the A413 for London and all other areas. Your petitioner further regards this network of narrow lanes in the AONB as a characteristic feature of the area and is also concerned about proposals to use some of these narrow country lanes for construction vehicles and access to the trace and to and from the A413 and elsewhere.

Your Petitioner requests that the Chilterns AONB be further protected by extending the presently proposed bored tunnel beyond Wendover, by requiring the construction of an extended tunnel, based on the T3i proposals, as developed by HS2 Limited, to ensure that the line passes through the whole of the AONB in a bored tunnel. The extended tunnel proposals have been referred to in the Environmental Statement and accepted by DfT and HS2 Ltd as both feasible and environmentally preferable. This proposal has been extensively discussed with local councils and action groups and within the local area forums, and is supported by them. The adoption of this proposal, which is jointly submitted and will be presented with others, would substantially remove the adverse effects complained of in the remainder of this petition and the need for most of the proposed remedies otherwise required.

Your Petitioner requests that an independent assessment of cost including in respect of full AONB tunneling and a full cost benefit analysis is undertaken in relation to the AONB area before any construction works commence in this area.

3.2. Your Petitioner accordingly emphasizes that, if the Bill were to be amended to include the provision of a fully bored tunnel throughout the AONB to the North of Wendover as
referred to in paragraph 3.1 above, then, whilst the mitigation measures set out in paragraphs 3.2 and 3.3 below would, in large measure, be unnecessary and their impacts would be otherwise effectively mitigated, your Petitioner requests that, except to the extent met by any such provision, the following mitigation measures should be adopted and implemented

Hierarchy of Mitigation

a. That possible further extensions of the tunnel from South Heath and at Wendover by boring or mining be adopted, particularly as this also has acknowledged environmental benefits.

b. That, if that is not accepted, then the line along this section of the track be housed within deeper cuttings, with improved mitigation and bunds, where appropriate, to seek to reduce noise and to conceal the line and the gantries and that the power for the contractor to raise the line by up to 3 meters is excluded for the AONB section of the line.

c. That the existing proposed green tunnel at Wendover be replaced by a bored or mined tunnel extended to the south and north of Wendover to remove the need for 2 viaducts and the linking embankment. This would also help protect the Bacombe aquifer from huge damage and solve potential hydrogeological problems.

d. That provision is made for constructing bridges where there is established rights of way, including making these Green Bridges, bearing in mind not only the need to retain trees and shrubs but also the need to preserve wild life access, particularly given that this is part of the AONB.

e. That the speed of the trains be reduced as per the recommendation of the House of Commons Environmental Audit Select Committee Report in order to help reduce the environmental impact and sufficient to ensure compliance of noise mitigation with the World Health Organization standards.

f. That the Wendover Dean and Small Dean viaducts and adjacent embankments be of the highest quality design and the infrastructure to be made as visually pleasing as possible, with enclosures where possible and with the maximum use of noise barriers on both sides, including boxing in if necessary.

g. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow to at least forty feet high, in order to conceal the line from view at the earliest possible time.

h. That the plans for the current Hunts Green Spoil Dump are substantially reduced and minimized and that arrangements are made for the spoil to be removed from the area by rail or pipeline. Your Petitioner points out that, if the full tunnel proposals are adopted, then the amount of spoil involved for this section of the line will be substantially reduced and it could also be removed, including by rail, at the Wendover exit of the tunnel, or, if bored
one way, from the M 25 end of the tunnel

i. That in relation to the balancing ponds, alternative sustainable urban drainage system techniques are considered in consultation with the local authority and that any ponds should not be artificially lined.

j. That in relation to the River Misbourne, and water supply, full surveys and continuing monitoring should be undertaken regarding water quality and the effect of the construction works, with actions undertaken, including cessation of construction in this area, if any adverse impacts are found

k. That the pylons along this section of the line are removed and the power lines are reinstated underground.

l. That it is specified that for the AONB, the line should have specially designed and constructed gantries designed to be as compatible and as unobtrusive as possible with the AONB environment and which designs shall first be subject to prior full consultation with local authorities and other local concerns for the Area.

m. That the local authorities for areas along the proposed line should be reimbursed and compensated for additional expenditure and losses incurred in relation to their involvement and responsibilities in all aspects of the construction and operation of the proposed line

n. That there should be established a Chilterns AONB Review Group as envisaged and described in, and with the powers and responsibilities as set out in, the amendments to the Bill regarding the same as proposed by Cheryl Gillan and Keith Baker for consideration at the Report Stage of the Bill in the House of Commons

o. That there should be established an independent HS2 Adjudicator with the duties, powers and functions as set out in the amendments regarding the same under the name of Cheryl Gillan and others relating thereto as proposed for consideration at the Report Stage of the Bill in the House of Commons

p. That arrangements should be made for independent local Valuers to be appointed to advise the Promoter in relation to compensation assessments and Need to Sell Scheme and other property valuations

3.3 Your Petitioner further requests that the nominated undertaker be required to mitigate the remaining nuisances, by giving the Code of Construction Practice legal effect with independent assessment of compliance and sanctions for breach of the Code. In addition, your Petitioner requests that the Code should specify, in all cases, the required mitigation work, facilities and construction be undertaken to the best available standards and techniques and to the highest standard of construction and operation of the railway and its associated developments and, in particular, that the Code or requirements in the Bill be so amended to enforce the following measures: -
a. Restricting HGV daily movements to the period between 09:30 and 15:30 throughout this section of the line, and particularly along the A413.
b. Additionally prohibiting HGV movements to and along the A413 during busy traffic periods and along school routes between 08.00 and 09.00 and between 15:00 and 15:30 during school terms.
c. Prohibiting any widening or enlargement of the narrow minor lanes.
d. Constructing new roads for the contractors and vehicles to access the trace directly from the A413, including new haul roads, to avoid linking the same with the Link Road roundabout at Great Missenden and at Rocky Lane and prohibiting the use of all existing narrow minor roads in the AONB by construction traffic.
e. That the Promoter and the contractors should be required to construct the railway to ensure that during construction and operation of the line noise, dust and vibration is minimized to meet the highest standards applicable and controlled and that air quality is maintained.
f. Constructing such facilities as may be necessary to remove spoil from the AONB area, including by rail or by pipeline, to apply proper methods of dealing with spoil and avoiding the creation of the spoil dump at Hunts Green.
g. That contractors in the AONB will be required to restore the land and temporary access roads after use to acceptable AONB landscaping and that local authorities be given the power to inspect such works and if necessary sanction contractors. During construction, the nominated undertaker must be responsible for maintaining the quality of all roads used during and after construction, so that the roads must be returned to their original size and character, and all damage repaired by the nominated undertaker.
h. That the Promoter provides an air ambulance with crew on standby during working hours, to ensure that medical emergencies receive a prompt response given the traffic congestion that will on the main emergency routes.
i. That appropriate arrangements be made and put in place, including for the Promoter of the Bill to provide or secure the provision of the necessary additional finance, to enable the local police forces to increase policing and to put in place other protective arrangements in order to reduce the risk of crime in the area during construction.
j. A hotline should be set up allowing residents to raise any issues of concern arising during construction and in particular for road users to report any damage to the roads, and the local and highway authorities should have access to all reports to ensure these are addressed and remedied in a timely manner.
4. *The prayer*

The petitioner therefore asks the House of Lords that your petitioner, or someone representing your petitioner in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Ivan Stillwell

15/04/2016
To the House of Lords  
Session 2015–16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF [Nicole Sara Patricia Stillwell]  
Declares that:  

1. The petitioner (‘Your Petitioner’) is specially and directly adversely affected by the whole Bill  

2. Your petitioner  
Your Petitioners is Nicole Sara Patricia Stillwell, who the Bill will specially and directly affect, both during construction and after completion, by the proposed HS2 line. Your Petitioner lives in Dunsmore adjacent to that part of the Chilterns Area of Outstanding Natural Beauty (AONB) which the Bill will specially and directly affect.  

Your Petitioner, is injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.  

3. Your Petitioner’s concerns  

3.1. Tunnel throughout the Chilterns AONB  
Your Petitioner as a resident of Wendover and its environs in the Chiltern AONB is concerned about the serious and injurious effect of the currently intended proposals regarding this part of the AONB and on the town of Wendover.  

In this respect, between South Heath and Wendover, Buckinghamshire, the Proposed Route is on the surface and includes sections in cuttings, and on two large and intrusive viaducts and on embankments. This area is designated as an Area of Outstanding Natural Beauty under Section 85 of the Countryside and Rights of Way Act 2000 (CROW Act) and is further protected under the National Planning Policy Framework and the European Landscape Convention.  

Your Petitioner contends that building HS2 on the surface in this section will permanently destroy the tranquility of the area and the beauty of its landscapes,
qualities that lead to the AONB being visited over 50 million times a year by visitors from London and other areas, have severe adverse effects on the reputation, social, environmental and economic cohesion of the communities in the area during and for a period after its construction. It will permanently and seriously reduce the ability of residents of the area and the numerous visitors to enjoy the natural benefits of the area in which they live.

Your petitioner is also seriously concerned about the disruptions to his household which will result from the construction of the line and the dust, noise, hours of work, vibration, traffic movements, congestion and access problems and other implications during what will be a long period of construction. Your Petitioner contends that the use of 6 metre sound barriers will seriously degrade the environment of Wendover and radically alter the character of the town and have a negative commercial effect. Your petitioner needs to use the narrow lanes and roads which will cross and be affected by the construction of the proposed line and needs to use the roads for access to Wendover and its surrounding areas, in particular, for shopping, recreation, medical services and rail, as well as to gain access to the A 413 for London and all other areas. Your petitioner further regards this network of narrow lanes in the AONB as a characteristic feature of the area and is also concerned about proposals to use some of these narrow country lanes for construction vehicles and access to the trace and to and from the A413 and elsewhere.

Your Petitioner requests that the Chilterns AONB be further protected by extending the presently proposed bored tunnel beyond Wendover, by requiring the construction of an extended tunnel, based on the T3i proposals, as developed by HS2 Limited, to ensure that the line passes through the whole of the AONB in a bored tunnel. The extended tunnel proposals have been referred to in the Environmental Statement and accepted by DfT and HS2 Ltd as both feasible and environmentally preferable. This proposal has been extensively discussed with local councils and action groups and within the local area forums, and is supported by them. The adoption of this proposal, which is jointly submitted and will be presented with others, would substantially remove the adverse effects complained of in the remainder of this petition and the need for most of the proposed remedies otherwise required

Your Petitioner requests that an independent assessment of cost including in respect of full AONB tunneling and a full cost benefit analysis is undertaken in relation to the AONB area before any construction works commence in this area.

3.2. Your Petitioner accordingly emphasizes that, if the Bill were to be amended to include the provision of a fully bored tunnel throughout the AONB to the North of Wendover as referred to in paragraph 3.1 above, then, whilst the mitigation measures set out in paragraphs 3.2 and 3.3 below would, in large measure, be unnecessary and their impacts
would be otherwise effectively mitigated, your Petitioner requests that, except to the extent met by any such provision, the following mitigation measures should be adopted and implemented

Hierarchy of Mitigation

a. That possible further extensions of the tunnel from South Heath and at Wendover by boring or mining be adopted, particularly as this also has acknowledged environmental benefits.

b. That, if that is not accepted, then the line along this section of the track be housed within deeper cuttings, with improved mitigation and bunds, where appropriate, to seek to reduce noise and to conceal the line and the gantries and that the power for the contractor to raise the line by up to 3 meters is excluded for the AONB section of the line.

c. That the existing proposed green tunnel at Wendover be replaced by a bored or mined tunnel extended to the south and north of Wendover to remove the need for 2 viaducts and the linking embankment. This would also help protect the Bacombe aquifer from huge damage and solve potential hydrogeological problems.

d. That provision is made for constructing bridges where there is established rights of way, including making these Green Bridges, bearing in mind not only the need to retain trees and shrubs but also the need to preserve wild life access, particularly given that this is part of the AONB.

e. That the speed of the trains be reduced as per the recommendation of the House of Commons Environmental Audit Select Committee Report in order to help reduce the environmental impact and sufficient to ensure compliance of noise mitigation with the World Health Organization standards.

f. That the Wendover Dean and Small Dean viaducts and adjacent embankments be of the highest quality design and the infrastructure to be made as visually pleasing as possible, with enclosures where possible and with the maximum use of noise barriers on both sides, including boxing in if necessary.

g. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow to at least forty feet high, in order to conceal the line from view at the earliest possible time.

h. That the plans for the current Hunts Green Spoil Dump are substantially reduced and minimized and that arrangements are made for the spoil to be removed from the area by rail or pipeline. Your Petitioner points out that, if the full tunnel proposals are adopted, then the amount of spoil involved for this section of the line will be substantially reduced and it could also be removed, including by rail, at the Wendover exit of the tunnel, or, if bored one way, from the M 25 end of the tunnel.

i. That in relation to the balancing ponds, alternative sustainable urban drainage system techniques are considered in consultation with the local
authority and that any ponds should not be artificially lined.

j. That in relation to the River Misbourne, and water supply, full surveys and continuing monitoring should be undertaken regarding water quality and the effect of the construction works, with actions undertaken, including cessation of construction in this area, if any adverse impacts are found.

k. That the pylons along this section of the line are removed and the power lines are reinstated underground.

l. That it is specified that for the AONB, the line should have specially designed and constructed gantries designed to be as compatible and as unobtrusive as possible with the AONB environment and which designs shall first be subject to prior full consultation with local authorities and other local concerns for the Area.

m. That the local authorities for areas along the proposed line should be reimbursed and compensated for additional expenditure and losses incurred in relation to their involvement and responsibilities in all aspects of the construction and operation of the proposed line.

n. That there should be established a Chilterns AONB Review Group as envisaged and described in, and with the powers and responsibilities as set out in, the amendments to the Bill regarding the same as proposed by Cheryl Gillan and Keith Baker for consideration at the Report Stage of the Bill in the House of Commons.

o. That there should be established an independent HS2 Adjudicator with the duties, powers and functions as set out in the amendments regarding the same under the name of Cheryl Gillan and others relating thereto as proposed for consideration at the Report Stage of the Bill in the House of Commons.

p. That arrangements should be made for independent local Valuers to be appointed to advise the Promoter in relation to compensation assessments and Need to Sell Scheme and other property valuations.

3.3 Your Petitioner further requests that the nominated undertaker be required to mitigate the remaining nuisances, by giving the Code of Construction Practice legal effect with independent assessment of compliance and sanctions for breach of the Code. In addition, your Petitioner requests that the Code should specify, in all cases, the required mitigation work, facilities and construction be undertaken to the best available standards and techniques and to the highest standard of construction and operation of the railway and its associated developments and, in particular, that the Code or requirements in the Bill be so amended to enforce the following measures:

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b. Additionally prohibiting HGV movements to and along the A413 during busy
traffic periods and along school routes between 08.00 and 09.00 and between 15:00 and 15:30 during school terms.

c. Prohibiting any widening or enlargement of the narrow minor lanes
d. Constructing new roads for the contractors and vehicles to access the trace directly from the A413, including new haul roads, to avoid linking the same with the Link Road roundabout at Great Missenden and at Rocky Lane and prohibiting the use of all existing narrow minor roads in the AONB by construction traffic.
e. That the Promoter and the contractors should be required to construct the railway to ensure that during construction and operation of the line noise, dust and vibration is minimized to meet the highest standards applicable and controlled and that air quality is maintained
f. Constructing such facilities as may be necessary to remove spoil from the AONB area, including by rail or by pipeline, to apply proper methods of dealing with spoil and avoiding the creation of the spoil dump at Hunts Green.
g. That contractors in the AONB will be required to restore the land and temporary access roads after use to acceptable AONB landscaping and that local authorities be given the power to inspect such works and if necessary sanction contractors. During construction, the nominated undertaker must be responsible for maintaining the quality of all roads used during and after construction, so that the roads must be returned to their original size and character, and all damage repaired by the nominated undertaker.
h. That the Promoter provides an air ambulance with crew on standby during working hours, to ensure that medical emergencies receive a prompt response given the traffic congestion that will on the main emergency routes.
i. That appropriate arrangements be made and put in place, including for the Promoter of the Bill to provide or secure the provision of the necessary additional finance, to enable the local police forces to increase policing and to put in place other protective arrangements in order to reduce the risk of crime in the area during construction
j. A hotline should be set up allowing residents to raise any issues of concern arising during construction and in particular for road users to report any damage to the roads, and the local and highway authorities should have access to all reports to ensure these are addressed and remedied in a timely manner.
4. The prayer

The petitioner therefore asks the House of Lords that your petitioner, or someone representing your petitioner in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Nicole Sara Patricia Stillwell

15/04/2016
To the House of Lords
Session 2015–16

PETITION against the: **High Speed Rail (London – West Midlands) Bill**

**THE PETITION OF John Henderson**

*Your petitioner*

Your Petitioner is John Trevor Howard Henderson (hereinafter referred to as “the Petitioner”) who lives at the Old Fox, Dunsmore, Aylesbury. Buckinghamshire. HP22 6QH who the Bill will specially and directly affect, both during construction and after completion, by the proposed HS2 line. Your Petitioner lives in that part of the Chilterns Area of Outstanding Natural Beauty (AONB) which the Bill will specially and directly affect

Your Petitioner, is injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

*Your Petitioner’s concerns*

1. Your petitioner has lived in Dunsmore since 1998 and is 70 years old. The Bill would authorise the construction and operation of the railway near Dunsmore.

2. Your Petitioner and his interests are injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

3. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken in and near Dunsmore between Great Missenden and Stoke Mandeville. These works consist mainly of two viaducts – a) the Wendover Dean viaduct and embankment between Hartley Farm and Road Barn Farm; and b) the Small Dean viaduct which crosses the Chiltern railway and the A413 to the south of Wendover; together with the embankments between the northern end of the Small Dean viaduct and the southern end of the Wendover green tunnel. They include ancillary works such as satellite compounds, auto-transformer stations, balancing ponds and portal buildings.

4. Notwithstanding the alterations proposed by HS2 to a) extend the tunnel northwards to Potter Row, b) to provide a green tunnel past part of Wendover and c) to build a 6m high “sound barrier to protect St Mary’s church and the adjacent school from the worst of the noise pollution, your Petitioner’s main objective is to persuade your
Honourable House to continue the line in a fully bored tunnel from Little Missenden until past Wendover.

**Problems caused by the operation of HS2**

5. Your Petitioner avers that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects:

6. Your Petitioner’s views of the Chiltern Hills in the AONB would be permanently scarred by the obtrusive viaducts and embankments which will be 18 metres or more above ground level with gantries a further 6 metres in height. The line would be visible from numerous viewpoints in the locality, it will be overbearing and dominant in the landscape and despoil the Chilterns Area of Outstanding Natural Beauty.

7. Your petitioner avers that the recent modification to the design to include a 6 m high “sound barrier” at Wendover to “protect” St Marys Church and the adjacent school will have the effect of throwing the sound towards Dunsmore and the nearby beauty spot of Coombe Hill thereby exacerbating the damage to the Chilterns Area of Outstanding Natural Beauty by a significant reduction in tranquility. It will also be a huge and dominating visual intrusion within the AONB.

8. Your Petitioner’s enjoyment of the Chiltern Hills would also be permanently damaged by trains up to 400 metres long passing every two minutes at peak periods.

9. The proposed hours of operation mean that World Health guidelines for night hours are being breached. The noise from these trains would cause strain upon your Petitioner’s life and affect his sleep and potentially his life expectancy. At the distance from the line where he lives, the noise would be spread over a longer time period, and thus be heard for approximately one minute in two. This is in an area which is at present one of peaceful tranquility.

10. The value of your Petitioner’s house has already been adversely affected, and will continue to be so on a permanent basis.

11. The damage to local facilities would be substantial, both those of value to your Petitioner such as St Mary’s Church for its religious and community uses, and those of value to Dunsmore as a community, particularly the adjacent shopping centre of Wendover High Street and the nationally recognised monument and National Trust area at Coombe Hill.

**Problems caused by the construction process of the scheduled works**

12. Your Petitioner avers that during construction of the scheduled works there will be the following effects:
13. Disruption of traffic and substantial delays along all local roads, caused by up to 300 HGVs per day plus smaller vehicles and equipment, especially on the A413 which your petitioner uses on a regular basis travelling to Great Missenden and also to Wendover and Aylesbury.

14. A serious strain on local community services such as the Wendover Health Centre, to which your Petitioner is a regular visitor, and to emergency services such as the police, caused by an influx of construction workers.

15. Dust caused by chalk and soil from construction and excavation, leading to the exacerbation of respiratory problems. On storage, chalk dries out, creating dust, which is then distributed by wind.

16. Substantial damage to this part of the Chilterns Area of Outstanding Natural Beauty (AONB) with its exceptional natural beauty both by visual intrusion and noise pollution.

17. The two enormous viaducts at Wendover Dean and Small Dean will be major structural construction works lasting for years.

18. Substantial damage will be caused to the local cultural heritage, including the usability of St Mary’s Church.

19. Disruption to power supplies caused by the need to move the electricity pylons which are near the line.

20. Disruption to footpaths, which your Petitioner uses for leisure and exercise.

21. Noise from machines moving spoil, constructing embankments and viaducts and traffic connected therewith, leading to inability to concentrate during the day, and inability to sleep at night.

22. Lighting over the construction area causing light pollution. Your Petitioner lives in an area where there is no artificial lighting, so this incursion of light would be very noticeable.

**The benefits of a fully-bored tunnel**

23. Your Petitioner proposes that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover. This would avoid all the disadvantages set out in paragraphs 5 - 11 above and most of the disadvantages set out in paragraphs 12 - 22 above.

24. HS2 Ltd has said that such a tunnel would cost £330 million more than the present proposal. However, it has refused to divulge any detail as to how this figure has been calculated.
25. Moreover, it seems that HS2 Ltd has not taken into account the value of the benefits which a fully-bored tunnel would bring, such as the money saved by not having to compulsorily purchase properties and land, or move electricity pylons, and not damaging the environment. These benefits are valued at over £500 million.

26. Your petitioner believes that the cost figure is overstated but even if it was correct, in the context of some £60 billion to build HS2, the additional cost would be a small sum to protect the integrity of the AONB.

27. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended by the inclusion of a tunnel from the current exit adjacent to Rocky Lane to the end of the AONB to the north of Wendover, then the Bill should not be allowed to pass into law.

**Mitigation for construction of a fully-bored tunnel**

28. If a fully-bored tunnel is included in the Bill, your Petitioner proposes that at least the following mitigation be adopted for its construction:

29. That a traffic management plan be agreed before construction starts with the local county, district and parish councils, and such plan to go to arbitration if agreement cannot be reached.

30. That the operation of construction traffic on the A413 only be permitted during the agreed working hours, excluding rush hours (7-9am and 5-7pm) on weekdays.

31. That acceptable noise levels be agreed before construction starts with the local county, district and parish councils, and such noise levels to go to arbitration if agreement cannot be reached.

32. That noise levels be monitored on a frequent and regular basis by an independent organisation, with the result of such monitoring be immediately made public.

33. That artificial lighting at construction areas be limited to working hours.

34. That funding be made available to Wendover Health Centre and local hospitals for the provision of any necessary additional facilities to cope with increased health problems, such as sleep disturbance, respiratory illness and hypertension, and including those caused by traffic emissions and dust created by the construction of the scheduled works.

35. That full compensation for damage to property or loss in property value caused by construction of the scheduled works and their subsequent operation be available to all those who suffer such loss.

36. That the maintenance loop at present proposed to be located to the north of Wendover be moved to an area where there are much larger permanent works scheduled.
37. That the Code of Construction Practice, and regulations and agreements dealing with all the above matters, be legally enforceable both at criminal and civil law, with civil law breaches being first dealt with by an Ombudsman, and the local county council having the right to bring both criminal and civil proceedings.

Mitigation for construction of the present proposal

38. However, if the proposal for a fully-bored tunnel is rejected your Petitioner proposes either of the following as mitigation:-

39. That the alignment of the railway be changed so that it is in a cutting from the Potter Row tunnel exit and remains in a cutting passing under the A413 and the Chiltern Railway at Small Dean before entering the green tunnel at Wendover. This would eliminate the need for the viaducts at Small Dean and Wendover Dean thereby protecting the AONB.

40. Or failing the adoption of the proposal in Paragraph 39 above, then the existing proposed green tunnel be extended to the south and north of Wendover.

41. And that the proposed viaducts at Wendover Dean and London Road carry effective sound barriers of at least 5 m in height or failing that have the tracks enclosed in sound deadening concrete tubes.

42. In addition your Petitioner asks that the proposals for mitigation put forward in paragraphs 28 – 37 above be adopted.

The prayer

The petitioner therefore asks the House of Lords that your petitioner, or someone representing your petitioner in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

John T H Henderson
17th April 2016
To the House of Lords  
Session 2015–16

PETITION against the  
High Speed Rail (London – West Midlands) Bill

THE PETITION OF SUSAN MACDONALD

Declares that:
1. The petitioner (‘Your Petitioner’) is specially and directly adversely affected by the whole Bill

2. Your petitioner
Your Petitioner is Susan MacDonald, resident at 5A South Street, Wendover, Aylesbury, Bucks. HP22 6EF, who the Bill will specially and directly affect, both during construction and after completion, by the proposed HS2 line. Your Petitioner lives in Wendover adjacent to that part of the Chilterns Area of Outstanding Natural Beauty (AONB) which the Bill will specially and directly affect.

Your Petitioner, is injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

3. Your Petitioner’s concerns

3.1. Tunnel throughout the Chilterns AONB
Your Petitioner as a resident of Wendover and its environs in the Chiltern AONB is concerned about the serious and injurious effect of the currently intended proposals regarding this part of the AONB and on the town of Wendover.

In this respect, between South Heath and Wendover, Buckinghamshire, the Proposed Route is on the surface and includes sections in cuttings, and on two large and intrusive viaducts and on embankments. This area is designated as an Area of Outstanding Natural Beauty under Section 85 of the Countryside and Rights of Way Act 2000 (CROW Act) and is further protected under the National Planning Policy Framework and the European Landscape Convention.
Your Petitioner contends that building HS2 on the surface in this section will permanently destroy the tranquillity of the area and the beauty of its landscapes, qualities that lead to the AONB being visited over 50 million times a year by visitors from London and other areas, have severe adverse effects on the reputation, social, environmental and economic cohesion of the communities in the area during and for a period after its construction. It will permanently and seriously reduce the ability of residents of the area and the numerous visitors to enjoy the natural benefits of the area in which they live.

Your petitioner is also seriously concerned about the disruptions to her household, as she lives within 300 metres from the actual train line, which will result from the construction of the line and the dust, noise, hours of work, vibration, traffic movements, congestion and access problems and other implications during what will be a long period of construction. Your Petitioner contends that the use of 6 metre sound barriers will seriously degrade the environment of Wendover and radically alter the character of the town and have a negative commercial effect. Your petitioner needs to use the narrow lanes and roads which will cross and be affected by the construction of the proposed line and needs to use the roads for access to Wendover and its surrounding areas, in particular, for shopping, recreation, medical services and rail, as well as to gain access to the A 413 for London and all other areas. Your petitioner further regards this network of narrow lanes in the AONB as a characteristic feature of the area and is also concerned about proposals to use some of these narrow country lanes for construction vehicles and access to the trace and to and from the A413 and elsewhere.

Your Petitioner requests that the Chilterns AONB be further protected by extending the presently proposed bored tunnel beyond Wendover, by requiring the construction of an extended tunnel, based on the T3i proposals, as developed by HS2 Limited, to ensure that the line passes through the whole of the AONB in a bored tunnel. The extended tunnel proposals have been referred to in the Environmental Statement and accepted by DfT and HS2 Ltd as both feasible and environmentally preferable. This proposal has been extensively discussed with local councils and action groups and within the local area forums, and is supported by them. The adoption of this proposal, which is jointly submitted and will be presented with others, would substantially remove the adverse effects complained of in the remainder of this petition and the need for most of the proposed remedies otherwise required.

Your Petitioner requests that an independent assessment of cost including in respect of full AONB tunnelling and a full cost benefit analysis is undertaken in relation to the AONB area before any construction works commence in this area.
3.2. Your Petitioner accordingly emphasizes that, if the Bill were to be amended to include the provision of a fully bored tunnel throughout the AONB to the North of Wendover as referred to in paragraph 3.1 above, then, whilst the mitigation measures set out in paragraphs 3.2 and 3.3 below would, in large measure, be unnecessary and their impacts would be otherwise effectively mitigated, your Petitioner requests that, except to the extent met by any such provision, the following mitigation measures should be adopted and implemented

Hierarchy of Mitigation

a. That possible further extensions of the tunnel from South Heath and at Wendover by boring or mining be adopted, particularly as this also has acknowledged environmental benefits.
b. That, if that is not accepted, then the line along this section of the track be housed within deeper cuttings, with improved mitigation and bunds, where appropriate, to seek to reduce noise and to conceal the line and the gantries and that the power for the contractor to raise the line by up to 3 metres is excluded for the AONB section of the line.
c. That the existing proposed green tunnel at Wendover be replaced by a bored or mined tunnel extended to the south and north of Wendover to remove the need for 2 viaducts and the linking embankment. This would also help protect the Bacombe aquifer from huge damage and solve potential hydrogeological problems.
d. That provision is made for constructing bridges where there is established rights of way, including making these Green Bridges, bearing in mind not only the need to retain trees and shrubs but also the need to preserve wildlife access, particularly given that this is part of the AONB.
e. That the speed of the trains be reduced as per the recommendation of the House of Commons Environmental Audit Select Committee Report in order to help reduce the environmental impact and sufficient to ensure compliance of noise mitigation with the World Health Organisation standards.
f. That the Wendover Dean and Small Dean viaducts and adjacent embankments be of the highest quality design and the infrastructure to be made as visually pleasing as possible, with enclosures where possible and with the maximum use of noise barriers on both sides, including boxing in if necessary.
g. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow to at least forty feet high, in order to conceal the line from view at the earliest possible time.
h. That the plans for the current Hunts Green Spoil Dump are substantially reduced and minimized and that arrangements are made for the spoil to be removed from the area by rail or pipeline. Your Petitioner points out that, if the full tunnel proposals are adopted, then the amount of spoil involved for
This section of the line will be substantially reduced and it could also be removed, including by rail, at the Wendover exit of the tunnel, or, if bored one way, from the M25 end of the tunnel.

i. That in relation to the balancing ponds, alternative sustainable urban drainage system techniques are considered in consultation with the local authority and that any ponds should not be artificially lined.

j. That in relation to the River Misbourne, and water supply, full surveys and continuing monitoring should be undertaken regarding water quality and the effect of the construction works, with actions undertaken, including cessation of construction in this area, if any adverse impacts are found.

k. That the pylons along this section of the line are removed and the power lines are reinstated underground.

l. That it is specified that for the AONB, the line should have specially designed and constructed gantries designed to be as compatible and as unobtrusive as possible with the AONB environment and which designs shall first be subject to prior full consultation with local authorities and other local concerns for the Area.

m. That the local authorities for areas along the proposed line should be reimbursed and compensated for additional expenditure and losses incurred in relation to their involvement and responsibilities in all aspects of the construction and operation of the proposed line.

n. That there should be established a Chilterns AONB Review Group as envisaged and described in, and with the powers and responsibilities as set out in, the amendments to the Bill regarding the same as proposed by Cheryl Gillan and Keith Baker for consideration at the Report Stage of the Bill in the House of Commons.

o. That there should be established an independent HS2 Adjudicator with the duties, powers and functions as set out in the amendments regarding the same under the name of Cheryl Gillan and others relating thereto as proposed for consideration at the Report Stage of the Bill in the House of Commons.

p. That arrangements should be made for independent local Valuers to be appointed to advise the Promoter in relation to compensation assessments and Need to Sell Scheme and other property valuations.

3.3 Your Petitioner further requests that the nominated undertaker be required to mitigate the remaining nuisances, by giving the Code of Construction Practice legal effect with independent assessment of compliance and sanctions for breach of the Code. In addition your Petitioner requests that the Code should specify, in all cases, the required mitigation work, facilities and construction be undertaken to the best available standards and techniques and to the highest standard of construction and operation of the railway and its associated...
developments and, in particular, that the Code or requirements in the Bill be so amended to enforce the following measures:-

a. Restricting HGV daily movements to the period between 09:30 and 15:30 throughout this section of the line, and particularly along the A413

b. Additionally prohibiting HGV movements to and along the A413 during busy traffic periods and along school routes between 08.00 and 09.00 and between 15:00 and 15:30 during school terms.

c. Prohibiting any widening or enlargement of the narrow minor lanes

d. Constructing new roads for the contractors and vehicles to access the trace directly from the A413, including new haul roads, to avoid linking the same with the Link Road roundabout at Great Missenden and at Rocky Lane and prohibiting the use of all existing narrow minor roads in the AONB by construction traffic.

e. That the Promoter and the contractors should be required to construct the railway to ensure that during construction and operation of the line noise, dust and vibration is minimised to meet the highest standards applicable and controlled and that air quality is maintained

f. Constructing such facilities as may be necessary to remove spoil from the AONB area, including by rail or by pipeline, to apply proper methods of dealing with spoil and avoiding the creation of the spoil dump at Hunts Green.

g. That contractors in the AONB will be required to restore the land and temporary access roads after use to acceptable AONB landscaping and that local authorities be given the power to inspect such works and if necessary sanction contractors. During construction, the nominated undertaker must be responsible for maintaining the quality of all roads used during and after construction, so that the roads must be returned to their original size and character, and all damage repaired by the nominated undertaker.

h. That the Promoter provides an air ambulance with crew on standby during working hours, to ensure that medical emergencies receive a prompt response given the traffic congestion that will on the main emergency routes.

i. That appropriate arrangements be made and put in place, including for the Promoter of the Bill to provide or secure the provision of the necessary additional finance, to enable the local police forces to increase policing and to put in place other protective arrangements in order to reduce the risk of crime in the area. during construction

j. A hotline should be set up allowing residents to raise any issues of concern arising during construction and in particular for road users to report any damage to the roads, and the local and highway authorities should have access to all reports to ensure these are addressed and remedied in a timely manner.
4. *The prayer*

The petitioner therefore asks the House of Lords that your petitioner, or someone representing your petitioner in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

.................................................................

SUSAN MACDONALD

17 April 2016
To the House of Lords

Session 2015-16

Petition against the

High Speed Rail (London to West Midlands) Bill

THE PETITION of David Stewart, Mary Anne Stewart and Hugo Stewart

Declares that:

Your Petitioners are specially and directly affected by the whole Bill.

The Petitioners are the joint-owners and/or occupants of Crown Cottage, Little Missenden. The property lies within the Chilterns Area of Outstanding Natural Beauty (the AONB), and is relatively close to the route of the proposed railway and the site of the proposed Little Missenden Vent Shaft and Auto-transformer Station.

Your Petitioners’ concerns are that they would be negatively affected by the provisions within the Bill by reason of:

1. The adverse effects upon the Chilterns AONB, resulting from the construction and operation of the proposed railway and the failure of HS2 Ltd to make sufficient provision for the reasonable and proper mitigation of those adverse effects. The AONB is an area of countryside which has been designated by the Government for conservation because of its landscape value to the nation. It therefore must be in the nation’s interest, as well as all petitioners, to safeguard and retain this area for future generations.

2. The failure of HS2 Ltd to take into account sufficiently or at all the destruction of value to the nation of the landscape (that the Government is protecting by assigning it as an AONB)
when assessing the benefits and arguments for the alternative provision of a long fully bored tunnel throughout the AONB compared to the current plan.

3. The potential risk, at present unquantified, that the construction of the proposed railway may or will result in the pollution and/or loss of flow in the River Misbourne, a rare chalk stream that flows through Little Missenden and is very close to the Petitioner’s home.

4. The under-estimation by HS2 Ltd of the extent and consequences of the additional traffic congestion upon local roads, which would be generated by the construction of the proposed railway and the failure by HS2 Ltd to take the risks and costs of this factor into account sufficiently or at all when assessing the arguments for the alternative provision of a long fully bored tunnel throughout the AONB. The aforementioned property is situated on the village road that passes through Little Missenden and the Petitioners are regular users of the A413 road. Both roads would be adversely affected by the additional traffic and considerable delays, danger and inconvenience to your Petitioners would be inevitable.

5. The failure of HS2 Ltd to plan for appropriate and safe vehicular access to and from the site of the proposed Little Missenden Vent Shaft and Auto-Transformer Station.

In relation to the matters set out in paragraphs 1-5 above, your Petitioners aver as follows:

6. We consider the arguments and proposals for a fully bored tunnel throughout the AONB have not been properly examined or adequately addressed by HS2 Ltd. No detailed costings have been produced to justify the claim that such a tunnel would cost more than the extensive civil engineering
works, viaducts, bridges, embankments and construction works necessary to build the currently planned surface rail route. Furthermore, the cost to the nation of the destruction of the landscape value AONB has not been estimated or included in the argument.

7. **Remedy:** - We call upon the House of Lords to require the Promotor to put these figures into the public domain, or else to commission an independent review of the alternative schemes and their costs, which can be accepted by all parties prior to any decision.

8. Insufficient account has been taken of the disruption and destruction of the Area of Outstanding Natural Beauty or the adverse effect on villages, local businesses, tourism, schools, children, residents or emergency services, and the nation which would result from the surface route through the AONB of the HS2 railway.

9. **Remedy:** - Your Petitioners call upon the House of Lords to require the Promotors to commission a full and proper review of the impact of the current plans, by an independent body to properly evaluate the full the impact of the construction and operation of the proposed railway upon the designated AONB and to submit their recommendations in relation thereto, before the Select Committee makes a decision.

10. The protection of the River Misbourne has not been properly or adequately addressed. This river is one of a small number of chalk streams in the UK in which rainbow and brown trout breed naturally. The river and its aquifers are also a significant source of drinking water to the Home Counties and London area. Its destruction would be ecologically, regionally and economically irresponsible and disastrous.

11. Adequate proposals have not been made by HS2 Ltd, to assure that the quality of the river water or its purity is
maintained, or to protect it from pollution by construction activities. The provisions and safeguards which are included in the draft Code of Construction Practice are in our opinion inadequate and insufficient and fail to provide proper assurance and protection. We propose that enforceable requirements must be placed on the Promotor to pre-determine and maintain the purity and quality of the river water, so as to assure its long term protection.

12. **Remedy:** - Your Petitioners call upon the House of Lords to seek the appointment of a truly independent and expert body to carry out a 'Risk Assessment' on the river and set out what steps are required in advance of work, to provide proper assurance and protection from pollution and loss of flow, before, during and after the construction period and to put forward proposals which will protect the river and the immediate environment, inclusive of mechanisms under which all its recommendations will be monitored and implemented.

13. HS2 Ltd accepts that no hydrological or geological surveys of the Misbourne Valley have been carried out and they have also stated that they do not plan to complete such surveys before the Bill completes its passage through Parliament. Your Petitioners assert that this is not satisfactory since they, along with living in the local area, are very conscious of the fact that local knowledge of this area indicates a high likelihood of active aquifers, which feed the River Misbourne. This view has been dismissed by HS2 Ltd, who say their designs are based on calculations on ground water information from surveys conducted in 1900, i.e., about 100 years old. They do not consider there is any risk of high water tables in the area. We consider this approach irresponsible and highly dangerous. Matters of such importance, your Petitioners aver, should be resolved before they are beyond Parliamentary control.
current petitioners and villagers of Little Missenden and indeed by the Chairman of the Commons Select Committee in his final Report to the Commons and thereafter, implement its recommendations.

The Petitioners therefore asks the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House be given an opportunity to give evidence on the issues raised in this petition, to the Select Committee which considers the Bill.

AND your Petitioners remain, etc.,:

Dated

Signed ...................................................... .
David Stewart

Signed ........................................................ .
Mary Anne Stewart

Signed ...................................................... .
Hugo Edward Frederick Stewart
To the House of Lords  
Session 2015-16  

Petition against the  

High Speed Rail (London to West Midlands) Bill  

THE PETITION OF Peter MacEwan  

Declares that  

1. Your petitioner is specially and directly adversely affected by the whole bill.  

2. Your petitioner is aged over 80 and lives in a bungalow, Orchard Cottage, Little Missenden, HP7 0RD that is located on the banks of the River Misbourne and over which there are some riparian rights. Little Missenden village is adjacent to the proposed ventshaft and auto-transformer station.  

3. Your petitioner’s general concerns about how he will be specially and directly adversely affected include:  

   a) Problems of traffic congestion on the A 413 and access to it from the village that the road by-passes;  
   b) Access to the construction of the Little Missenden ventshaft and auto-transformer station located on the A 413 by the main exit from the village;  
   c) Loss of flow of the whole of the River Misbourne, including alongside his property; and  
   d) Inadequate mitigation for the damage to the designated Chilterns Area of Outstanding Natural Beauty (AONB) of which the River Misbourne, a very rare chalk stream, is an integral part.  

Most of these concerns would be allayed by the construction of a long tunnel throughout the AONB to the north of Wendover on the basis of option T3i as developed by HS2. Such a tunnel would provide proper mitigation for the nationally protected landscape nearest to London.  

In this respect your petitioner notes that HS2 accept the longer tunnel is feasible to construct, does not affect estimated journey times and provides significant environmental benefits to the AONB. HS2 then claim that such a longer tunnel would cost more but this claim has not been substantiated by detailed costings, including placing an appropriate value to the landscape of the AONB that is to be destroyed.  

If the committee do not require the provision of a longer tunnel to protect the AONB, your petitioner calls upon the Select Committee to require HS2 to put its costings into the public domain and for them to be subject to an independent review. These are needed to demonstrate how the Government proposes to meet its legal and moral duty to protect the AONB.  

4. Traffic  

   The problems of traffic congestion on the A 413 and access to it from the village remain issues unresolved by HS2 since consultation on the Bill commenced. HS2 still
have failed to provide any credible traffic estimates for future traffic movements on the A413 and on key junctions in the locality. This is a vital route, (inter alia, a “blue route” to the nearest A & E hospital at Stoke Manderville) which your petitioner relies upon for medical facilities, shopping, banking, travelling and all external living needs.

Furthermore HS2 have manifestly failed to take account of the inadequacy of all other local roads, which are basically country lanes, to deal with the servicing of the required building sites, bringing in equipment and the removal out of large quantities of spoil.

The traffic problems in the area would be significantly reduced by the construction of a longer tunnel as most of the spoil, inter alia, caused by the provision of cuttings would be removed along the trace.

In the absence of your Lordships recommending such an obvious solution to the damage to the AONB, HS2 should be required to provide within an immediate timescale credible calculations of traffic movements so that the County Council can agree with them proposals to deal with the multitude of identified traffic junctions, including at Little Missenden, that have been drawn to HS2 attention.

5. Construction of the Little Missenden Ventshaft and Auto-Transformer Station

The Select Committee in the House of Commons specifically identified that the design for the ventshaft that includes an auto-transformer station as being in a sensitive area within the AONB. As it will be a larger development than most of the other ventshafts, access to it, as well it’s design, is critical.

HS2 have dismissed local proposals for access from the east along the side of the A 413 from the junction at Pipers Wood. They have stated that all construction traffic would travel an unnecessary three miles further to the Great Missenden roundabout, an already busy junction, before turning back.

Your petitioner requests that your Lordships determine that HS2 are required to consult specifically with the Chilterns Conservation Board, a statutory body established to preserve the AONB, as to the design and, with local residents, the practical access to this specially identified site.

6. Risks to the River Misbourne and Shardeloes Lake

HS2 admit that no hydrological surveys have been carried out and so to date all planning for the route of the railway has been based on surveys that are some 100 years old. As such with the impact of climate change this data is totally out of date. HS2 may well not complete these vital surveys before the Bill completes its likely passage through Parliament.

For the design of the route to be proposed without up to date and proper knowledge of the structure of the ground through which the tunnel would be built is irresponsible. To solve any problem arising might require a deeper level for the proposed tunnel.

Credible and qualified opinion is that the building of the railway would result in the loss of flow and possible pollution of the River Misbourne. So your petitioner is very
concerned about the required river flow past his property, through the village, down the valley and into Shardeloes Lake which constitutes a key element of the Grade 11* listing of Shardeloes Park and Garden.

Your petitioner asks that your Lordships committee requires that HS2 urgently conduct adequate hydrological surveys on the whole of the river and that these findings are made public. Thereafter, in the absence of recommending a longer tunnel through the AONB, the required mitigation of the quality and flow of the river is agreed with an independent body. One reason for asking for this is that extraction of water through the pumping station in the village from the aquifers of the Misbourne is required to provide part of the public water supply to north London.

7. Your petitioner therefore asks the House of Lords that he, or someone else representing him in accordance with the rules and Standing Orders of the House, be given opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains etc
Peter MacEwan

Dated 15 April 2016
To the House of Lords
Session 2015-16

Petition against the

High Speed Rail (London to West Midlands) Bill

THE PETITION OF Joanne Garrett

Declares that

1. Your petitioner is specially and directly adversely affected by the whole bill.

2. Your petitioner lives with her husband and three young children in Misbourne Cottage, Little Missenden, HP7 9RD. In a Conservation Area, it is a family home which the bill may specifically and directly affect.

3. Your petitioner’s general concerns about how she will specifically, directly and adversely be affected include:

   a) Problems of traffic congestion on the A413 and access to it from the village that the road by-passes;
   b) Access to the construction of the Little Missenden ventilation and auto-transformer station located on the A413 by the main exit from the village;
   c) Noise, dirt and disruption that will take a major toll on the way our community lives and the area’s attraction to walkers, cyclists etc, thus threatening the sustainability of two pubs which are both crucial to the village community.
   d) Inadequate mitigation for the damage to the designated Chilterns Area of Outstanding Natural Beauty (AONB).

Most of these concerns would be allayed by the construction of a long tunnel throughout the AONB to the north of Wendover on the basis of option T3i as developed by HS2. Such a tunnel would provide proper mitigation for the nationally protected landscape nearest to London.

In this respect, your petitioner notes that HS2 accepts construction of the longer tunnel is feasible, does not affect estimated journey times and provides significant environmental benefits to the AONB. While HS2 claims that such a longer tunnel would cost more, this claim has not been substantiated by detailed costings.

Your petitioner calls upon the Select Committee to require HS2 to put its costings into the public domain and for them to be subject to an independent review. These are needed to demonstrate how the Government proposes to meet its legal and moral duty to protect the AONB.

4. Traffic

   The problems of traffic congestion on the A413 and access to it from the village remain issues unresolved by HS2 since consultation on the Bill commenced. HS2 still have failed to provide any credible traffic estimates for future traffic movements on the A413 and on key junctions in the locality. This is a vital route, (inter alia, a “blue
route” to the nearest A & E hospital at Stoke Mandeville) which your petitioner and this community relies upon for medical facilities, shopping, banking, travelling and all external living needs.

Furthermore, HS2 have manifestly failed to take account of the inadequacy of all other local roads (basically country lanes) to deal with the servicing of the required building sites, bringing in equipment and the removal of enormous quantities of spoil.

The traffic problems in the area would be significantly reduced by the construction of a longer tunnel as most of the spoil, inter alia, caused by the provision of cuttings would be removed along the trace.

In the absence of your Lordships recommending such an obvious solution to the damage to the AONB, HS2 should be required to provide within an immediate timescale credible calculations of traffic movements so that the County Council can agree with them proposals to deal with the multitude of identified traffic junctions, including at Little Missenden, that have been drawn to HS2 attention.

5. Construction of the Little Missenden Ventshaft and Auto-Transformer Station
The Select Committee in the House of Commons specifically identified that the design for the ventshaft that includes an auto-transformer station as being in a sensitive area within the AONB. As it will be a larger development than most of the other ventshafts, access to it, as well it’s design, is critical.

HS2 have yet to clarify proposals for access from the east along the side of the A413 from the junction at Pipers Wood. Currently, all construction traffic may travel an unnecessary three miles further to the Great Missenden roundabout, an already busy junction, before turning back.

Your petitioner requests that your Lordships determine that HS2 are required to consult specifically with the Chilterns Conservation Board, a statutory body established to preserve the AONB, as to the design and, with local residents, the practical access to this specially identified site.

6. Disruption
As it stands, the Bill will allow construction of HS2 in a way that can only cause massive disruption to our family and the village as a whole. Indeed, the Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to take 10 years to complete and will include lorry movements, the creation of dust and noise, poor air quality, and 24 hour working.

Your Petitioner currently walks one of her children to school through the village - as do a number of other families. That is to say nothing of the more elderly members of our community as they walk through Little Missenden. It has always been the way here, and hopefully always will be. However, if construction traffic ever comes through our village (and when the A413 is blocked, all its traffic does divert through the village) it can only threaten everyone’s safety. It will also cause havoc, dirt and noise in an environment that has not evolved to carry such a weight of traffic. Doubtless, vehicles that normally use the A413 (or other local roads affected by HS2)
may well be tempted to avoid construction traffic and use the village as a cut-through anyway. Either way, the village and its residents will suffer.

The dirt from construction will have a huge impact. When it’s wet, the mud will affect roads for miles around. When it’s dry, the dust will be constantly hanging in the air and, while Your Petitioner suffers from asthma, our three children are always playing outside.

The noise of the construction, too, will echo across the valley and the A413 will be far noisier. With the dirt as well, this will no doubt mean residents in Little Missenden won’t be able to have their windows open at day or night.

The whole area is a haven for walkers and wildlife lovers. Thanks to the noise, dirt and disruption, they won’t want to come here anymore, will they? That will also have an enormous impact on local businesses including our two village pubs.

The overwhelming detrimental impact of the construction will affect all our lives hugely - for all the years HS2 is being built here. Not that life will return to normal once the construction’s finished. When HS2 is built and running, we in Little Missenden will have to put up with the noise from trains going in and out of the tunnel – the sound of the engine and the wheels on the tracks will always be there. The visual scars in what the state has designated an Area of Outstanding Natural Beauty will never heal. This shouldn’t happen and cannot be allowed to happen without a significant rethink.

7. Your petitioner therefore asks the House of Lords that she, or someone else representing her in accordance with the rules and Standing Orders of the House, be given opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains etc

Joanne Garrett

Dated 17 April 2016
To the House of Lords
Session 2015-16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Lord Stevenson of Balmacara

Declares that:

1. The petitioner is specially and directly adversely affected by the whole Bill

2. Your Petitioner and his family resides in Little Missenden, surrounded by the Chilterns Area of Outstanding Natural Beauty Environment. Your Petitioner makes extensive use of the recreational facilities afforded by the AONB, and strongly objects to the following impacts of the project, including but not limited to:
   - Construction traffic and impacts in the immediate vicinity of his house, related to the vent shaft in Little Missenden, and throughout the AONB.
   - Diversions of public rights of way, and reinstatement of some PROWs to run alongside the line.
   - Destruction of woodland and in particular of Ancient Woodlands.
   - The audible and visual intrusion of the railway on the surface of the AONB between South Heath and Wendover, which is incompatible with its status as an Area of Outstanding Natural Beauty.
   - The failure of the Secretary of State to uphold the statutory duty to conserve and enhance the Chilterns AONB.

3. Your petitioner's concerns about how he will be affected include:

   Objection is taken to the works to be undertaken within the Chilterns Area of Outstanding Natural Beauty, and in particular in the parishes of Amersham, Little Missenden, Great Missenden, Chartridge and The Lee, and to the clauses of the bill which would authorise these works.

   - Between South Heath and Wendover the Proposed Route is on the surface for approximately 8.4 km and includes sections in shallow cuttings, on two 500m long viaducts, on embankments and in two cut and cover tunnels.
• This area is designated as an Area of Outstanding Natural Beauty under Section 85 of the Countryside and Rights of Way Act 2000 ("CROW Act") and is further protected under the National Planning Policy Framework and the European Landscape Convention. Your Petitioner contends that building HS2 on the surface in this section will permanently destroy the tranquillity of the area and the beauty of its landscapes; have severe adverse effects on the social, environmental and economic cohesion of the area during and for a period after its construction; and will permanently and seriously impair the Petitioners ability to enjoy the natural benefits of this AONB.

Remedies

Your Petitioner requests that the AONB be protected from the effects of this grave and destructive damage by directing HS2 Ltd to ensure that the line passes through the whole of the AONB in a bored tunnel such as the CRAG T3i Tunnel, which has been accepted by HS2 Ltd in the Environmental Statement as both feasible and environmentally preferable. This would substantially mitigate the adverse effects complained of in this petition.

Your Petitioner also requests that the nominated undertaker be required to mitigate the remaining nuisances, by amending the Code of Construction Practice so as to enforce the following measures:

• Restricting HGV movements to the period 09:30 - 15:30 on weekdays only throughout the AONB;
• Constructing new roads to access the trace directly from the A413, and prohibiting the use of all existing minor roads in the AONB by construction traffic.
• Operating a “Park and Ride” scheme to transport construction workers along the trace, and enforcing this by not providing parking for contractors on or near the construction compounds.
• Constructing such facilities as may be necessary to remove spoil from the AONB by rail, so avoiding the creation of the spoil dumps within the curtilage of the AONB.

4. The prayer

The petitioner therefore asks the House of Lords that he in accordance with
the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Stevenson of Balmacara

18th April 2016
To the House of Lords
Session 2015-16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF
Councillor Heather Johnson,
Councillor Nadia Shah,
Councillor Nasim Ali

Declares that:

1. The petitioners and their property, rights and interests in their area and those of their constituents of their area would be injuriously and prejudicially affected by the provisions of the Bill.

Your petitioner

2. The petitioners are Ward Councillors for the Regents Park Ward in the London Borough of Camden and have been elected to represent the interests of their constituents in this area. The location of the London terminus for the proposed high speed railway at Euston is within the Regents Park Ward and in addition, Cllr Shah lives in very close proximity to the proposed terminus. The petitioners are therefore specially and directly affected by the Bill.

Your petitioner’s concerns

Compensation

3. The petitioners consider that the provisions in the Bill relating to compensation for those whose land is to be acquired under the Bill and, especially, those who will be affected by the construction and the operation of the proposed works even though their land is not acquired, is completely inadequate. The petitioners do not accept that residents of rural communities should be treated in a different, preferential way from residents in Camden, particularly those in Regents Park Ward who will be significantly affected by the construction process over many years. The petitioners note that the promoters consider that residents of urban areas like Camden are used to city living and noise/dirt from construction and transport use and so will be able to cope with the effects of the HS2 project.

4. The petitioners do not accept this assumption and are acutely aware of the harm caused to residents from existing short term projects which are generally short lived and can be accommodated. The petitioners are aware of the concern of residents facing so many years of disruption and therefore asks your right honourable House to amend the Bill to ensure proper compensation will be payable not only to those in Camden whose land is to be acquired, but also those who will be badly affected by the works. In the words of the select committee of the House of Commons at paragraph 237 of their final special
report, “Camden is exceptional, and needs special treatment. Many residents are going to have to put up with disturbance on a scale beyond the experience in most other locations”. The petitioners agree, and consequently urge that at least the equivalent compensation proposals are available to residents of Camden as are available to residents of rural areas. This should include equivalent provisions to those available in the “rural support zone”, namely the cash offer scheme and the voluntary purchase scheme and in the “homeowner payment zone”, namely the homeowner payment.

Community engagement

5. The petitioners recognise that LB Camden has received assurances from the promoter about community engagement. However, the petitioners do not believe that sufficient consideration has been given by the promoters of the particular needs of the local community that we represent. Thus far no specific action has been taken by the promoters to address the particular language and cultural needs of the community which has resulted in a lack of engagement from some sections of the residents. At the very start of the consultation process we requested that the promoters funded a community based consultation project so that volunteers, with the appropriate language and cultural sensitivities, could be trained to go out into the community and contact residents who are not currently engaging. The petitioners therefore ask that your right honourable House ensures that the Bill contains provisions that ensure all sections of the community are involved in consultation. We are keenly aware that very little, or almost no consultation has been taking place in recent months, but even where there has been interaction with the local community, the type of involvement, such as large meetings and ‘drop in’ sessions are not suitable for some members of the community.

Open spaces

6. The petitioners are aware that LB Camden has received assurances from the promoter about the provision of replacement open spaces and trees (and their protection). However, whilst these assurances are to be welcomed, the replacement space is currently to be provided in St Pancras and Somers Town Ward, the adjacent ward to Regents Park where a considerable amount of green space is being lost. This is not only from the development of the HS2 scheme itself, but also to provide sites for the replacement housing for that being demolished to make way for the scheme. The petitioners are only too aware how difficult it is to get residents to travel any distance to use new open space, especially young people, where ‘territorial’ issues often arise. Playground space needs to be provided close enough to the residential buildings to make it easy for small children to access with their parents. All the current proposals will require residents to travel to the other side of Euston station, which would be difficult even if an open, permeable replacement station is agreed and impossible with the current configuration. We are aware that no additional space is available prior to construction, the petitioners therefore ask that your honourable House ensures firm commitments are made to re-provide green space and playground space close to that being lost on sites such as the National Temperance Hospital which are for the time being to be used as construction compounds.

Air quality, general cleanliness and pest control
7. The petitioners are concerned that the assurances so far given in regard to air quality control during construction are not developed enough to alleviate the concerns of local residents. Similarly there are still concerns about the general cleanliness of the area during construction and the rise of problems from pests, most particularly rats during the whole of the construction period. We would therefore request that specific consideration is given to these issues and appropriate undertakings made by the promoters of the bill.

Additional matters

8. In addition to the foregoing, the petitions wish to state that they are also supportive of the issues raised and mitigations requested in the petition of the London Borough of Camden

9. The prayer

The petitioners therefore asks the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

Cllr Heather Johnson

Cllr Nasim Ali CBE

Cllr Nadia Shah

18th April 2016
To the House of Lords

Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Britain Yearly Meeting of The Religious Society of Friends (Quakers) and Friends House (London) Hospitality Limited ("Petitioners")

Declares that:

1 INTRODUCTION

1.1 The Petitioners are specially and directly adversely affected by powers proposed under the Bill to authorise construction of works at and in the vicinity of Euston Station, associated stopping up and diversion of public rights of way, and interference with utility services including powers within Clauses 1, 2, 3, 16, 17, 19, 33, 34, 36, 46 and 48 and related schedules.

1.2 The Petitioners are a member of the Stephenson Way/Gordon Street Business Mitigation Group (formerly known as “the Stephenson Way Community Group”, the name under which petitions were lodged in the House of Commons and its members appeared before during Commons Committee Stages, and referred to in this petition as "Group"), whose collective petition has been lodged separately. The Petitioners shares the concerns expressed and supports the solutions sought in that petition. This petition repeats and elaborates upon certain of the concerns expressed in that petition so far as pertinent to the Petitioners and where appropriate identifies further specific solutions sought.

2 YOUR PETITIONERS

2.1 Your Petitioners are Britain Yearly Meeting of the Religious Society of Friends (Quakers) (Registered Charity Number 1127633) and their wholly owned subsidiary Friends House (London) Hospitality Limited.

2.2 The Religious Society of Friends (Quakers) was founded in the early 1650s as a nonconformist Christian movement. The founders of the Religious Society of Friends rejected the notion of paid clergy and government sanctioned church buildings, believing that any gathering of true Christians was equally legitimate. Instead of following a set service based on the Bible, traditional Quaker worship consisted and still consists of a gathering where worshippers observe silence. The silence is interrupted only when someone feels spiritually moved to speak.

2.3 A fundamental tenet of the Quaker faith remains the total rejection of violence and war. Modern Quakers are active in peace work, human rights and social reform. Their faith-based beliefs in peace, equality, simplicity and truth impel them to alleviate suffering and to seek positive social change.

2.4 The Friends Meeting House (173 Euston Road, London NW1 2BJ) is the headquarters of the Religious Society of Friends in Britain. It is a Grade II listed building comprising some 6,600 sq.m of floorspace located between Endsleigh Gardens and Euston Road. Friends House was completed in 1926, winning the RIBA Bronze Medal for the outstanding building erected in London in that year, for its architect (a scholar of Quaker architecture) Hubert Lidbetter. Hubert Lidbetter
went on to design several Friends meeting houses in London, Birmingham, Liverpool and Sheffield, to become a member of the RIBA Council and to serve as RIBA vice-president in 1942-43.

2.5 Adjacent to Friends House and part of the same building complex is Drayton House. Drayton House comprises circa 3000 sq.m. of floorspace and is located immediately to the West of Friends House continuing its curtilage to the eastern side of Gordon Street. Drayton House was named after Fenny Drayton (the birthplace of George Fox, one of the founder Quakers) and completed in 1928. It too is Grade II listed and is let to University College London on a 25 year lease expiring in 2024.

2.6 Friends House was built to allow for six principal uses, all of which continue at present:

- meetings for worship and in particular the four-day Yearly Meeting typically attended by more than one thousand Quakers, the ultimate decision making authority of the Society;
- offices for Friends’ staff based in London;
- a temperature controlled Library and extensive basement storage housing the world’s most significant collection of Quaker material – the Library being accessible to the public;
- a restaurant;
- a bookshop and café; and
- commercial use to raise funds for Quaker work.

2.7 There is a garden to the east side of the Friends House building and within its curtilage which has recently been the subject of extensive recent landscaping and major expenditure.

2.8 Accommodation at Friends House is divided between:

- the Large Meeting House, which can seat 1,300 and is designed to accommodate the Yearly Meeting;
- a Small Meeting House;

[the Large Meeting House, Small Meeting House and other areas set aside for worship have to be quiet. Quakers worship in silence.]

- office accommodation;
- bookable meeting rooms;
- restaurant and café space;
- bookshop and café;
- library; and
- storage areas for Quaker archives at basement level.
2.9 The Library at Friends House is the repository of Quaker material dating back to 1673 when the Second Day's Morning Meeting agreed to acquire two copies of everything written by Quakers and one copy of everything written against them. As well as covering Quaker history and thought, the collection covers topics in which the Quakers have been active such as peace, anti-slavery, and relief work. The library has over 80,000 books and pamphlets including a unique collection of 17th Century Quaker and anti-Quaker material. It includes manuscript collections and the papers of a wide variety of significant Friends, such as Margaret Fell and Elizabeth Fry.

2.10 Friends House is managed and marketed intensively by Friends House (London) Hospitality Limited in order to cover the costs of upkeep of Friends House and to make a contribution to Quaker funds. Friends House is used or visited by approximately 300,000 people every year and relies heavily on conference bookings predominantly from religious, charitable, public and education sectors. During 2015, hospitality revenues amounted to approximately £348 million. The building is used intensively during the week, with Birkbeck College renting rooms en masse for evening teaching at a cost of approximately £240,000 per annum. Users of Friends House come not only from London but also from further afield. With an increasingly aged UK population, ease of accessibility and signage are therefore of great importance.

2.11 Friends House has recently refurbished The Large Meeting House (now known as The Light) at a cost of many millions of pounds under the auspices of John McAslan and Partners. The RIBA award winning design brought it up to meet the modern standards of the other meeting rooms and conference facilities which incorporate contemporary design and technology whilst still meeting Quaker ethical standards of simplicity and sustainability. As well as enabling measurably improving building performance against modern sustainability standards (resulting in an 18% decrease in its carbon footprint) the improvements were designed to enable competitiveness in the market for the sort of users traditionally attracted to Friends House Conference facilities. In turn this is important both to paying for the upkeep of Friends House and supporting Quaker charitable works.

2.12 The Quakers' positive embrace of sustainability means that within Friends House, extensive use is made of: passive ventilation; opening and closing windows wherever practicable; and natural light. The tranquillity of Endsleigh Gardens is particularly valued by your Petitioners and is important to the overall internal low-noise environment within Friends House. It is important not only to Quaker users of the Friends Library, meeting rooms and worship facilities but also to the creation of a positive impression for conference delegates and other users of conference facilities, meeting rooms, café and dining facilities. The Friends House Garden, which is currently being re-landscaped to make it even more accessible, is between Euston Road and Endsleigh Gardens and provides an oasis of outside tranquillity both for users of Friends House and members of the public.

2.13 The northern facade of Friends House and Drayton House overlooks Euston Square Gardens. This currently provides a leafy tranquil outlook from upper floor windows, many of which house meeting rooms. It is of some concern that this view stands to be obliterated for many years not only by HS2 work sites under the Bill but by intensive further use in connection with Crossrail 2.

2.14 Drayton House, part of the Friends House building complex, is let to University College London (UCL) and houses its Economics Faculty and related ESRC Centre for Economic Learning and Social Evolution. The western facade of Drayton House is directly adjacent to and will overlook HS2's proposed Gordon Street work site and the main access is central to this facade. Drayton House accommodation is
arranged over three above ground floors, a ground floor and a lower ground floor. The lower ground floor includes a lecture theatre and seminar accommodation. Research and teaching accommodation and academic offices are on the remaining floors.

2.15 As mentioned above, your Petitioners are a member of the Stephenson Way/ Gordon Street Petitioners Group. The Group has had regular communication amongst its members and has been meeting as a group since 2013. The Group has been recognised by the Promoter as a business mitigation group whose concern is to ensure the ability of its members to continue to operate and maintain their charitable businesses and activities in the area whilst the HS2 construction works are carried out. These works are of concern to the Group generally and to your Petitioners in particular not only in their own right but also in terms of their overlap and interface with works associated with other major projects which will be closely associated with HS2 at Euston such as Crossrail 2, Euston Station refurbishment and Euston Station Over-Site development.

2.16 Your Petitioners as a member of the Group has been constructive in its approach to negotiations with the Promoter and in its endeavours to arrive at workable solutions. Importantly, the Group has commissioned expert advice from leading acoustic and civil engineers with direct experience of the very largest deep excavation, rail and tunnelling projects in Central London to advise on likely construction effects of HS2 and constructive ways of avoiding and overcoming them. These advisers have been asked to advise on workable means of avoiding and minimising effects on the operations and premises of Group members by using industry standard construction techniques and precautions. Your Petitioners and other Group members and its advisers have endeavoured to engage with the Promoter so that these means can be incorporated into HS2 construction programmes and methodologies early enough for them not to impact on HS2 cost or programme.

2.17 During the two years while the Bill was in the first House, the Promoter was extremely slow to engage with your Petitioners and the Group and even then, engagement was superficial. As a consequence, it was necessary for your Petitioners and other members of the Group to appear before the Select Committee. The Select Committee recommended in paragraph 240 of its report:

"Stephenson Way and Drummond Street businesses and hotels

Businesses, hotels and professional and academic organisations in and around Stephenson Way will be severely affected by construction. They need proper notice of when works will commence so that they can organise their activities. We believe a minimum of three months’ notice is appropriate—preferably more. The Promoter has agreed to establish a business mitigation user group to discuss problems and solutions. These will be helpful. We urge the Promoter to respond positively to the needs of Petitioners from this area in the period between our report and the Lords select committee stage. The activities of several of the organisations we heard from are noise and/or vibration sensitive. We would like the Promoter to pay the reasonable costs of risk assessment and surveying to determine sensitivity to construction effects such as vibration."

2.18 Whilst discussions have taken place between your Petitioners and other Group members and the Promoter since the Select Committee reported in late February, and there are positive signs of greater cooperation, agreement has not yet been reached in relation to the protections sought by your Petitioners or the Group.
2.19 The slow progress to date in arriving at a satisfactory response to your Petitioners' concerns and a satisfactory framework for future working between your Petitioners other Group members and the Promoter and other participants in the redevelopment of Euston was noted during the Second Reading Debate in your Lordships' House. It was comforting to hear the Government spokesman during the debate comment that he hoped that the issues of the Group would be “addressed without much further recourse”. Your Petitioners are, in common with other Group members, committed to working as positively as practicable with the Promoter to meet the concerns identified and hopes that this heralds a period of rapid and mutually satisfactory collaboration in finding and effecting solutions.

3 YOUR PETITIONERS' CONCERNS AND WHAT THEY SEEK

3.1 General

3.1.1 Your Petitioners note the extensive works proposed adjacent or very close to three of the four boundaries of Friends House/Drayton House. They have a serious concern that unless works and traffic movements are strictly controlled: the national and international reputation of Friends House as a place for Quaker worship, study and reflection and the growing reputation of Friends House as a destination of choice for charities and educational institutions to hold conventions and meetings will be seriously impaired; and that use of Drayton House for educational purposes may also be adversely affected.

3.1.2 The major HS2 related works at Euston are projected to last for seventeen years or more. Works in the vicinity of your Petitioners' premises are extensive. The work site on Gordon Street at the junction with Gower Place and Endsleigh Gardens, abutting the entrance to your Petitioners' Drayton House wing of Friends House is projected to be occupied for 10 years. Major works are proposed adjacent to three of the four facades of Friends House/Drayton House – on Euston Road, Endsleigh Gardens and Gordon Street. Public transport, pedestrian and cycle access to Friends House stands to be heavily disrupted for much of the 10 year period. The tranquil, low-traffic, easily accessible environment that your Petitioners currently enjoy along the Endsleigh Gardens facade of Friends House stands to be seriously undermined by the works unless they are closely controlled and by use of Endsleigh Gardens as a taxi rank or taxi holding area. If close and enforceable controls are not applied, a perception will be created that for 10 years or more the Euston area will be an environmentally challenged building site, there is a serious risk of heavy operational and reputational harm, and consequent economic loss to the operations of your Petitioners at Friends House.

3.1.3 Particular sensitivities of and within Friends House and Drayton House include:

- the need within the Library archives and storage areas to have a strictly controlled environment as to temperature, humidity, lighting and stability. Artefacts, manuscripts and works of art within the Friends House archive are both historic and irreplaceable and both good custodianship and insurance conditions require that strict parameters be observed as to their storage and exhibition.

- the need to protect the Quaker archive held at Friends House as it would be particularly vulnerable to water ingress, dampness or atmospheric pollution caused by the works.

- the importance of both of the large Grade II listed buildings with high costs of upkeep and a duty both in law and in order to maintain your Petitioners' public image to maintain them to a commensurately high standard.
the importance of income from room bookings as it is critically important to defraying costs of the Friends administrative services, maintenance of the Friends archives and to maintaining Friends House as the Quaker Centre for Great Britain. The environment in which Friends House sits, its outlook and ease of access, travel and navigation to and from it are all important to the success of letting rooms for conventions and meetings. Disturbance associated with the works could readily render the meeting rooms, despite extensive refurbishment being underway, more difficult to let, create void periods or depress the levels of room and venue rental achievable.

quiet contemplation is important to Friends' religious services. The function of Friends House would be fundamentally undermined if this is made impossible by HS2 works.

Friends House is used extensively during evenings by Birkbeck College and other providers of adult education for night-time education classes. These would be seriously affected by noise and vibration during evening hours.

Drayton House will be an epi-centre of local HS2 activity for a period of a decade. It is let as an investment and used by the tenant for educational purposes. It overlooks the Promoter's Gordon Street work site. UCL's lease is due for renewal before the HS2 works are programmed to have been completed. Disturbance associated with the works could deter renewal altogether or depress rental levels or otherwise impact on terms achievable on renewal.

upper floors of Friends House overlook Euston Square Gardens, an outlook which stands to be seriously blighted for more than a decade by work sites.

the fact that both buildings rely significantly on natural light and passive ventilation. As a consequence any adverse effects of dust, noise and air quality from the works stand to be felt very strongly inside Friends House.

the fact that the structure of Friends House and Drayton House, being steel framed and clad with Portland Stone and brick is particularly susceptible to the effects of ground-borne noise and vibration.

Euston Road Gower Street, Gower Place, Gordon Street, Endsleigh Gardens and Upper Woburn Place

3.1.4 The whole of Gower Place, and Endsleigh Gardens and parts of Euston Road, Gower Street, Gordon Street and Upper Woburn Place are:

- within the limits of land to be acquired or used;
- comprised in plots 19 to 25 inclusive;
- and within the Table 3 of Schedule 4 to the Bill, which denotes roads which may be temporarily be stopped up.

3.1.5 Those parts of Gordon Street within Plot 21 are additionally within the limits of deviation for Work No 1/3 (a passenger subway between Euston Station ticket hall, metropolitan line platforms at Euston Square Station and a new passenger access at Gordon Street).
3.1.6 The Bill provides that land within the limits of land to be acquired or used may be used:

- to construct (inter alia) bridges, subways, roundabouts, lifts, stairs, escalators, means of access, shafts, buildings, apparatus, plant and machinery
- to construct (inter alia) retaining walls and other works
- to demolish buildings and structures
- to alter or alter the position of other apparatus including mains, sewers, drains and cables
- to carry out and maintain any other works as may be necessary or expedient.

3.1.7 The Bill also provides that roads listed in Table 3 of Schedule 4 may be temporarily stopped up (save as to pedestrian access) subject to consultation (on grounds of public safety and convenience) only with the highway authority and that if temporarily stopped up could be used as a work site and that apparatus may be placed, repositioned, removed or maintained within it.

3.1.8 **Friends House and Drayton House** are bounded by Euston Road to the North, Gordon Street to the West and Endsleigh Gardens to the South. The utilities conduits serving Friends House and Drayton House run within these roads.

3.1.9 In summary, your Petitioners are concerned about noise, dust, vibration, light and air pollution, access, building damage, deterioration of condition, interference with activities and service interruptions from the construction of the works. Your Petitioners are particularly concerned that there is potential for there to be lorry and/or taxi holding areas, a dedicated construction traffic route and long-term work sites and major street and services works on and adjacent to these roads. They are also concerned that the effects of noise, dust, fumes and vibration from these activities and uses will have a serious impact on the fabric of Friends House and religious, educational and supporting hospitality business activities carried on within it if impact avoidance and mitigation measures are not required of the Promoter and its nominated undertaker directly enforceable by your Petitioners against them. Your Petitioners are further concerned about potential for these roads to be stopped up temporarily (which in the context of the works could be for as long as 10 years or more) with consequent prevention of or limitations on pedestrian and vehicular access and major interference with your Petitioners' activities.

3.2 **Further matters of concern**

3.2.1 Your Petitioners have identified the following further causes for concern from material published in connection with Additional Provision 3 as now absorbed within the Bill:

(a) platform capacity at Euston overground station for classic rail services during stage B1 being reduced to a minimum of 11 rather than a minimum of 13, thus prejudicing an important means of transport to your Petitioners' premises on Euston Road;

(b) underground services at Euston underground stations being likely to suspended on some lines for more periods of up to five months and disrupted regularly and frequently during Stage A of the Works even
without taking account of the implications of Crossrail 2 or over site
development and even though Euston underground stations are
acknowledged by the Promoter to be operating over capacity during peak
hours to the extent of access to platforms having to be actively managed -
thus prejudicing another important means of transport to your Petitioner's
premises on Euston Road;

(c) a taxi rank (with consequent noise and air pollution and scope for conflict
with road, pedestrian and cycle movements) and taxi holding area being
proposed on Endsleigh Gardens and Gordon Street;

(d) proposals for unnecessarily lengthy use of Gordon Street between
Endsleigh Gardens/ Gower Place and Euston Road even when no
construction activity is programmed;

(e) deep wide excavations (in some cases more than three metres wide and
three metres deep) in connection with HS2- driven utility diversions being
proposed in Euston Road, Endsleigh Gardens and Gower Place in close
proximity to services critical to your Petitioner’s operations and with
potential to affect retaining walls and foundations;

(f) major works being proposed to the Fleet Sewer and major water mains at
low level under Euston Road with consequent risk of water and/or sewage
 ingress into the foundations and/or basements of your Petitioner's
buildings on either side of Euston Road should either the said Fleet Sewer
or water main fail during or after works;

(g) acknowledged adverse visual effects on Friends House and Drayton House
overlooking the Gordon Street and Euston Square Gardens construction
compounds;

3.2.2 It is of concern to your Petitioners that there have been no indications from the
Promoter of what might be the cumulative effects of over-site development above
Euston Station, development anticipated under the Euston Area Plan or of other of
other major transportation proposals regarded by both the local planning authority
(London Borough of Camden) the GLA as strategic planning authority for the area
and Transport for London as essential to the Bill proposals operating. It is therefore
considered by your Petitioners that the likely significant environmental effects of
the proposals in the Bill, especially when considered with those of other
developments, are likely to have been unassessed, under-assessed and/or under-
reported.

3.3 Gordon Street Works and Compound

3.3.1 Your Petitioners note that a new pedestrian area, new pedestrian subway and new
pedestrian entrances are to be created at Gordon Street immediately adjacent to
your Petitioner's Drayton House Building. They also note that the Promoter's
Environmental Statement suggests that this work site is scheduled to be occupied
for some 10 years and that Gordon Street between Endsleigh Gardens and Euston
Road is permanently to be stopped up.

3.3.2 The Gordon Street Works involve deep excavations and the construction of a new
subway combined with major utility works beneath Euston Road. These would
involve complex interactions with building foundations, retaining walls, existing
service media (including the existing Fleet sewer and water main). Walls of your
Petitioners' Drayton House are already having to be reinforced below street level.
So levels of sensitivity to deep excavations, settlement, vibration, effects of increased loadings and potential water ingress are very significant.

3.3.3 Your Petitioners welcome the proposed new pedestrian subway and entrance to Euston Square Underground at Gordon Street but are concerned (and ask the Committee to direct) that:

(a) the design programme and construction methodology for deep works and excavations under Euston Road and Gordon Street should be the subject of full consultation with your Petitioners in advance of their being settled or subject to contract or tender processes, take full account of the structural sensitivity of nearby premises, services and structures and of the great importance of damage not being caused by settlement, vibration, removal of support, water ingress, additional loads being placed on them or otherwise;

(b) the Gordon Street work site should be subject to strict noise, dust and other environmental controls such as to ensure that your Petitioners' environment and amenity are not prejudiced any more than is absolutely necessary to construct relevant works;

(c) whilst works are being carried out the work site should be encapsulated and sealed from above as well as from the sides so as to prevent upward release of noise and dust and to protect amenity within overlooking and adjacent buildings;

(d) the design of any temporary hoardings be subject to the approval processes referred to above;

(e) the stopped up area of Gordon Street should be turned into attractive open space such as to complement the qualities of the area in which it is situated; and

(f) the design of any permanent above ground features should be subject to local consultation and approval processes with the objective of ensuring that it complements the qualities of the neighbouring buildings belonging to University College London and the Wellcome Trust such as the Wellcome Building, Wates House and the Kathleen Lonsdale Building.

(g) the Promoter should not use the Gordon Street construction compound for any longer than is absolutely necessary, that it should not be used for taxi purposes or as a depot for storage of materials or for worker accommodation, that it should be used only during the period of physical construction works for major service diversions (if any) in relation to Endsleigh Gardens and for the new Euston Square underground station subways and entrance hall beneath Gordon Street and Euston Road

(h) that construction activities under Gordon Street should be serviced and interim storage of excavated materials from Gordon Street, Gower Place and Endsleigh Gardens should be undertaken from and on work sites to the north on Euston Square;

(i) that parking, loading and unloading bays on Gordon Street serving the Wellcome Building and Drayton House opposite should be retained (or no less convenient substitutes provided) throughout and after periods of construction;
(j) the Promoter should only to use either Endsleigh Gardens or Gower Place for construction traffic when the Gordon Street construction compound is in use and not to use any of these roads for HGV traffic;

(k) that between periods of necessary use for construction works, Gordon Street between Endsleigh Gardens/ Gower Place and Euston Road should be reinstated for pedestrian and cycle use;

(l) that all materials arising from excavations on Euston Road, Gordon Street and Endsleigh Gardens and Gower Place are removed northwards via Gordon Street and Euston Road for ultimate transport away by rail rather than southwards eastwards or westwards along Gower Place or Endsleigh Gardens or Gordon Street to the south of them;

3.4 **Euston Square Work Sites**

3.4.1 As mentioned above, the upper floors of Friends House overlook Euston Square Gardens. This outlook stands to be seriously blighted by work sites within Euston Square and further development activities at Euston Station for more than a decade.

3.4.2 Your Petitioners are concerned that the blight it they will suffer from the existence and operation of work sites within Euston Square should be avoided or reduced so far as practicable. Accordingly they ask that so far as practicable:

(a) these work sites should be encapsulated so as to prevent release of noise and dust and to protect amenity within overlooking and nearby buildings;

(b) the design of any temporary hoardings should be subject to consultation and approval processes to which your Petitioners are a party;

(c) all temporary replacement pedestrian routes between Euston overground and underground, Euston Square Underground Station, any bus station operated to perform the function of Euston Square bus station, and Friends House give direct, safe, DDA-compliant, easily navigable, smooth surfaced access Friends House; and

(d) pedestrian routes between Friends House and the transport nodes mentioned above should be specifically, legibly and prominently signposted;

(e) mature trees within Euston Square Gardens should be preserved so far as practicable and for as long as practicable;

(f) the long term reinstatement of Euston Square Gardens should include mature trees and landscaping to recreate a public space no less attractive than Euston Square Gardens are currently and should be subject to consultation and approval processes to which your Petitioners are a party.

3.5 **Period and nature of the disturbance and disruption**

3.5.1 Your Petitioners' requirements as set out continuously and consistently over many months and contained within its petitions during Commons stages of the Bill
articulated in Group correspondence with the Promoter have thus far not been met by commitments regarding meaningful mitigation and/or compensation. Your Petitioners are therefore being expected to tolerate the magnitude and significance of the environmental adverse impacts without adequate mitigation or economic compensation for loss or disturbance.

3.5.2 Your Petitioners are deeply concerned that, absent sufficient and effective impact avoidance and mitigation measures, they could face great financial and operational hardship as a direct and sole result of the expected impacts arising from the HS2 Bill works.

3.5.3 Some of the elements of the proposed works to be undertaken for considerable lengths of time would appear to qualify as exemptions under the HS2 Code of Construction Practice for night-time working. Unrestricted times of permitted construction adjacent or close to your Petitioners' property will lead to cancellation of conferences, room hires, societal events, museum/archive exhibitions, and educational programmes. The nature and characteristics of the activities undertaken in your Petitioners' properties require a distinctive and special approach from the Promoter regarding mitigation, compensation and possibly relocation.

3.5.4 Your Petitioners are particularly concerned that the Bill includes powers for the Secretary of State and the Nominated Undertaker to carry out construction works which are now estimated to take at least eighteen years to complete. In addition, it is probable that other as yet unspecified works will be carried out in the same area at the same time by way of construction of Crossrail 2, refurbishment of Euston overground station and oversite development at Euston Station.

3.5.5 The length and intensity of disruption and disturbance stands to be unprecedented would be unacceptable to your Petitioners, especially should sufficient impact avoidance, mitigation or/and compensation arrangements be absent.

3.5.6 Your Petitioners ask that the Promoter be directed to the effect that:

(a) Regular frequent and effective liaison and engagement arrangements specific to your Petitioners through the medium of the Group are put in place from the outset and continue throughout the period of development at Euston;

(b) those arrangements should have particular objectives of:

(i) enabling works at Euston to be designed programmed and carried out (and ensuring that they are designed, programmed and carried out) in ways which build in impact avoidance, minimisation and mitigation measures appropriate to your Petitioners' concerns from the outset;

(ii) ensuring that codes of construction practice and local environmental management plans and local traffic management measures put to the local planning authority reflect those principles from the outset;

(iii) enabling your Petitioners to be fully aware of programmes (and any necessary programme changes) for relevant works as far ahead as is practicable; and
the liaison and engagement mechanisms include escalation and dispute resolution procedures to ensure mutually acceptable outcomes wherever practicable.

3.6 Noise, vibration, visual effects, light pollution, dust and atmospheric pollution

3.6.1 Your Petitioners are concerned about noise during construction and operation of the works. Friends House is, at various times of the day and week, used for religious worship, business conferences and meetings, educational purposes and study of historic Quaker materials and artefacts. Quiet surroundings are important to these functions. Friends House is in use from 8 a.m. until 10 p.m. Monday until Friday, and from 9 a.m. until 6 p.m. on Saturdays and 9 a.m. until 2 p.m. on Sundays. Drayton House is in constant use for educational purposes.

3.6.2 Your Petitioners are concerned that taxis and heavy goods and other construction vehicles will be directed and/or left standing on Endsleigh Gardens and/or Gordon Street close to your Petitioners' premises with consequent adverse effects on air quality. They request that the Committee direct that restrictions be imposed on the Promoter:

(a) as to the types of vehicles and stationary plant used in connection with the works to ensure that they are designed operated and maintained to be ultra-low emission and fully noise and vibration attenuated at source;

(b) to require routeing of works traffic away from Endsleigh Gardens and

(c) to prevent diversion and displacement of non-works traffic onto Endsleigh Gardens in each case to ensure that the air quality in the vicinity of your Petitioners' premises is not made worse than at present. In this regard, your Petitioner requests that an air quality monitoring system be put in place to ensure that the air quality in the location of affected properties is not significantly diminished

and that your Petitioners receive an enforceable undertaking from the Promoter to that effect.

3.6.3 Your Petitioners request in addition that they be awarded compensation for additional expenses caused by dust and dirt such as more frequent cleaning of its properties and more frequent replacement of air conditioning filters and as to any consequential inability to meet stringent conditions required in relation to exhibits provided on loan for exhibition at your Petitioners' premises.

3.6.4 Your Petitioners' properties are located in close proximity to some or all of the following HS2 Work Sites and major works:

- Construction of the HS2 Station building;
- Works to Euston Square underground station;
- Diversion of the Fleet Sewer;
- Diversion of an existing 42 inch water main;
- Construction of a new subway under (and across the junction between) Melton Street, Gordon Street and Euston Road;
• Major utility works on Euston Road;
• Work sites at Gordon Street, Melton Street, Euston Square (East and West).

3.6.5 Unless carefully managed and modern best practice techniques are adopted taking specific account of your Petitioners' particular operations, concerns and sensitivities, these works will have severe and avoidable noise, vibration, visual, amenity and atmospheric and light polluting effects on your Petitioners' operations and their premises. Your Petitioners are concerned that, in any event, material damage may be occasioned to their premises, operations and property as a result of works at Euston.

3.6.6 In order to assist in meeting the above concerns, your Petitioners ask the Committee to direct that wherever reasonably practicable, the Promoter will:

(a) phase works such as to minimise disruption to access to premises of your Petitioners and

(b) phase works to avoid noise and vibration during periods and activities at such premises which are sensitive to noise dust or vibration;

(c) avoid vibratory working methods or non-hydraulic driving of piles;

(d) shroud buildings being demolished such as to ensure so far as practicable that dust and noise are contained within the demolition site;

(e) use pipe-jacking rather than open trenching techniques wherever reasonably practicable;

(f) restrict works to normal working hours wherever practicable;

(g) store materials only within main work sites and not within the Gordon Street or Melton Street compounds save such as are reasonably necessary for works underway and continuing on such sites;

(h) use electrically powered plant and equipment in order to reduce on-site noise and air pollution;

(i) employ techniques such as clamping gels to reduce airborne dust at source;

(j) deploy techniques during construction and demolition for avoiding unnecessary noise dust or vibration in connection with those works to be carried out within 50 yards of any of your Petitioners' properties which are no less rigorous than those within industry recognised industry best practice codes of construction practice such as those required to be adopted by the City of London Corporation for works within the City of London and for the Thames Tideway Tunnel where works are proposed in close proximity to particularly sensitive uses and buildings.

3.6.7 Your Petitioners also ask that the Committee direct the Promoter to ensure, in collaboration with the Petitioners:

(a) that risk assessments are carried out,
that the sensitivity of your Petitioners' premises and activities is agreed in advance between your Petitioners and the Promoter;

c) that pre-emptive avoidance and mitigation measures are put in place to address those sensitivities;

d) that agreed forms of monitoring (with access to real time information for your Petitioners) are undertaken throughout works, and

e) that trigger action plans are developed to ensure that if thresholds are likely to be passed or risks seem likely to be realised, a selection of appropriate pre-emptive and remedial actions agreed in advance can be taken.

3.6.8 Your Petitioners ask additionally that the Promoter be directed that appropriate steps agreed in advance should be taken to avoid material damage wherever practicable, to offset the risk of it happening and to ensure that, if it occurs, any such damage is made good and sufficient compensation is paid wherever it arises.

3.7 Programming and Notice

3.7.1 Britain Yearly Meetings Sunday and other Worship

3.7.2 Friends House is the venue for annual Britain Yearly Meetings of Friends (Quakers) in Britain. This event lasts for four days (usually in May) and is devoted to worship and to the business of Friends both nationally and internationally. Delegates typically number more than 1,200 and travel to Euston from overseas and all parts of the UK. Proceedings are held mainly in the Large Meeting House.

3.7.3 Sunday worship takes place in the Large and Small Meeting Rooms with larger meetings held once monthly. For monthly meetings Friends travel from all over the UK and for weekly worship they tend to travel from less far afield.

3.7.4 Quakers use the building for worship at the following times:

- Sunday mornings;
- Tuesday midday;
- as part of an outreach programme on Monday evenings;
- for four days during Yearly Meeting.

3.7.5 There is also a dedicated worship space in the bookshop which would be accessible whenever the building is open. Quaker committees (there are many) meet regularly throughout the week and their meetings always start with a period of worship.

3.7.6 The following non-Quaker groups worship regularly at Friends House:

- Equippers Church (every Sunday)
- West London Synagogue
- Grace Baptists (hold an annual conference)
- Redeemed Church of Christ (every Sunday morning)
Rosicrucions (three times a month)

3.7.7 During the above periods, dates and times of which your Petitioners are able to notify the Promoter yearly in advance, the consequences of noisy nearby works, use of construction vehicles nearby, travel disruption, reductions or interruptions in utility service provision and interference with pedestrian or vehicular access would be particularly damaging to your Petitioners. They therefore ask that the Promoter should undertake with your Petitioners to avoid any such matters absolutely during periods of Yearly Meetings and any monthly meetings and so far as reasonably practicable at times of weekly meetings for worship.

3.7.8 Your Petitioners' operations are also such that it programmes events at and makes bookings with third parties in relation to its premises many months, sometimes years in advance.

3.7.9 Over and above pre-emptive mitigation works and general control and management of impacts by the Promoter, it is essential that your Petitioners has extensive advance notice of when particularly noisy and disruptive activities in relation to HS2 are to take place. This will help enable your Petitioners' activities to be programmed and for contingency measures, such as hiring alternative accommodation to be put in place as far in advance as possible.

3.7.10 Your Petitioners therefore ask that the Promoters be directed to give as much notice to the Petitioners as practicable of its programmes for relevant works in the vicinity of your Petitioners' premises and in any event that for particularly noisy and disruptive activities minimum periods of notice are observed and that particularly sensitive periods notified in advance by your Petitioners are avoided.

3.8 Flood, Groundwater and Surface Water

3.8.1 Your Petitioners' premises have basements. These spaces perform functions essential to their operations and are used to store priceless and unique artefacts. The basement areas are, however, vulnerable to water ingress in consequence of HS2 works such as from changes in the groundwater regime, raised groundwater levels, increased in groundwater pressure, diverted groundwater flows and accidental escapes of water from water mains or sewers.

3.8.2 Your Petitioners' properties may also be vulnerable to changes in surface water run off occasioned by construction of new structures and demolition of existing buildings as part of HS2 works.

3.8.3 Your Petitioners' properties are in an area of recognised flood risk and your Petitioners are concerned that this has not been adequately addressed in design and assessment of HS2 works.

3.8.4 Civil engineering advice given to your Petitioners and other members of the Group indicates that survey work undertaken by the Promoter thus far is insufficient to support conclusions arrived at to date and that more needs to be done. The advice highlights risks of diversion or backing up of groundwater in the direction of your Petitioners' premises as a consequent of deep construction works authorised under the Bill and scope for adverse effects related both to temporary dewatering activities whilst construction works are undertaken and to allowing the groundwater table to recover after construction has taken place.

3.8.5 Until your Petitioners can be reassured that the Promoter has knowledge of all watercourses and other hydrology matters in the locality and has formulated a thorough and proactive strategy for ensuring that adverse effects are not suffered
as a consequence of HS2 works, there can be no confidence that the HS2 proposals will not exacerbate the risk and potential for flooding and other water damage.

3.8.6 Your Petitioners therefore ask that the Promoter be directed:

(a) to carry out sufficient surveys and risk assessments;
(b) to ensure that appropriate protective works and measures in relation to your Petitioners’ premises are implemented in advance of works commencing; and
(c) to ensure that monitoring and trigger action plans agreed in advance with your Petitioners are put in place.

3.9 Access and servicing

3.9.1 Your Petitioners take access from or along the following highways: Euston Road, Gordon Street, Endsleigh Gardens and Gower Place.

3.9.2 Pedestrian, vehicular, cycle and public transport access to premises occupied by your Petitioners will therefore be affected by:

- works to and temporary whole or partial closures of Euston Road, Gower Place, Endsleigh Gardens, and Melton Street;
- use of the above highways by construction traffic;
- diversion of traffic along many of the above highways;
- use of Gordon Street and Endsleigh Gardens as a temporary taxi rank.

3.9.3 Your Petitioners have particular concerns about the ability to adequately access and service its premises while construction is underway. This applies particularly in relation to Endsleigh Gardens, Gordon Street and Gower Place.

3.9.4 It is very important to your Petitioners that permeability in their locality is maintained. Convenient pedestrian access between their premises and Euston Station is essential at all times throughout construction period, as is adequate signposting and wayfaring information where existing lines of sight are interrupted or existing routes are diverted.

3.9.5 Your Petitioners ask that the Promoter be directed to ensure that:

(a) no interruption to access or servicing should occur to any premises of your Petitioners other than by agreement in advance;
(b) any interference with access or servicing is kept to a minimum at all times;
(c) wherever any routes providing access to your Petitioners’ premises are diverted that appropriate and convenient alternative routes and clear and appropriate wayfaring information and signage are all provided;
(d) the principles along with measures agreed as part of liaison and engagement procedures identified above are all reflected in material submitted to the local planning authority and the local highway authority for approval under other procedures contemplated by the Bill;
traffic displaced from Euston Road, Gower Street, Woburn Place and Gordon Street should not be directed along Endsleigh Gardens or Gower Place;

neither Endsleigh Gardens nor Gower Place is used as a taxi rank or taxi holding area;

construction vehicles will not use Endsleigh Gardens, Gordon Street or Gower Place other than for purposes limited to carrying out (and during) utility works within the boundaries of that particular road.

3.10 Utilities

3.10.1 Your Petitioners note with concern that major works (Works numbered 1/98) are to be carried out by the Promoter to the Fleet Sewer. It also notes that works involving tunnelling (Works numbered 1/4A, 1/4 and 1/3) are to be carried out in close proximity to your Petitioner’s properties fronting Euston Road and that a new water main (Work 1/18) and new sewer (Work 1/6) are proposed under Euston Road close to Friends House and/or Drayton House. Your Petitioners are gravely concerned at the consequent risk of damage to water and waste-water conveying infrastructure and/or of water or wastewater escape to or in the vicinity of your Petitioners’ properties, particularly if damage to foundations of your Petitioner’s buildings also results from works.

3.10.2 Since your Petitioners’ basement and sub-basement areas are used for storage of priceless and irreplaceable artefacts and materials, your Petitioners are concerned that special care must be taken by the Promoter and its nominated undertaker in carrying out the works concerned. Your Petitioners emphasise that enforceable undertakings should be required of the Promoter requiring:

(a) agreement of a specification and method statement with your Petitioners before works proceed incorporating precautions to be taken;

(b) that the works be carried out in accordance with such specification and method statement; and

(c) that there be an indemnity in favour of your Petitioners against any adverse consequences including any deriving from water and/or wastewater escape as a consequence of the works.

3.10.3 The continuous availability of communications and utility services to your Petitioners’ premises is of vital importance to their being able to perform its functions, both as part of general activities and when their premises are subject to third party bookings, examinations, performances and public exhibitions.

3.10.4 The Promoter proposes major utility works in the vicinity of your Petitioners’ premises. These may be heavily noisy and disruptive in their own right and many may necessitate temporary disconnection of services whilst they are being carried out.

3.10.5 Unplanned interruption of services or in the case of certain critical services interruption without a substitute being available at all times could be severely damaging to your Petitioners’ operations.

3.10.6 Your Petitioners therefore ask that the Committee direct the Promoter:
(a) that in relation to specified utility and communications services identified in advance, there should be no interruption (or reduction in capacity) unless supplies of at least equivalent capacity are first provided and commissioned;

(b) that in case of other utility and communications services, there should be no interruption or reduction in capacity other than at times notified and agreed in advance and any interruption or reduction should be kept to a minimum in timescale and quantum;

(c) utility works undertaken by persons other than the Promoter or nominated undertaker should be subject to the same considerations and constraints as works undertaken by the Promoter or nominated undertaker directly; and

(d) disruption associated with utility works should be kept to a minimum with trenchless/ no dig techniques being used wherever practicable.

3.11 Parking

3.11.1 Your Petitioners' premises do not have facility for internal parking and rely on on street parking spaces, particularly for blue badge users.

3.11.2 During the course of works many of these spaces stand to be lost temporarily or permanently, Your Petitioners therefore ask the Committee to direct the Promoter:

(a) to maintain the blue badge spaces serving its premises in either existing locations or alternative locations no less convenient to potential users (the blue badge spaces to be reinstated in their previous location following completion of Works in the vicinity of the relevant premises);

(b) to provide replacement on-street parking spaces in reasonably convenient locations; and

(c) to provide signage to indicate the location of any alternative or relocated parking spaces.

3.12 Tree Loss

3.12.1 Your Petitioners note that the Promoter, by Clause 29 of the Bill reserves to itself and its nominated undertaker power to undertake works to trees subject to Tree Preservation Orders without meeting the burden of proof or going through the procedures which, would but for powers within the Bill when enacted, normally apply. Trees on the Euston Road and Endsleigh Gardens frontages of Friends House and especially those adjacent to the Friends Garden are important to the setting and ambience of Friends House as a Grade II listed building and as a place of tranquility, quiet contemplation and worship.

3.12.2 Your Petitioners therefore request that the Promoter should undertake to your Petitioners not to undertake works which would damage any of the above trees unless the works cannot otherwise practically be carried out and that when undertaking works in the vicinity of the said trees works will be undertaken under the supervision of or in accordance with a methodology and incorporating measures designed to protect the health of the trees as may in each case be specified or approved by an appropriately qualified arboriculturalist first approved by your Petitioners.
3.13 **Crane Oversailing**

3.13.1 Your Petitioners are concerned that the Bill includes powers authorising the Promoter to oversail premises with tower cranes; that such oversail may carry risk to premises unless closely controlled; that any crane erected may if it collapses cause damage to nearby premises and that the safety measures employed in connection with the erection and operation of any crane may not meet the industry standards insisted upon when rail undertakers premises are close to the erection or operation of cranes in connection with mainstream development.

3.13.2 Your Petitioners therefore ask the Committee to direct the Promoter that any crane oversailing of premises close to your Petitioners' property:

(a) shall only be permitted if carried out in conformity with:

(i) British Standard BS 7121 Code of Practice for Safe Use of Cranes;

(ii) terms equivalent to those applied by Network Rail wherever operational land other than a permanent way is to be oversailed;

(b) shall be subject to comprehensive indemnities in favour of your Petitioners if its premises, even if not directly oversailed by any jib or cargo swing, are within the zone within which any part of the crane or its structure might collapse.

3.14 **Shortcomings of the Compensation regime under the Bill**

3.14.1 The statutory compensation code compensates for the loss of property, not for loss of profits or damage caused to a business. When property is acquired compulsorily, the code provides compensation for property owners who are displaced. Where, as would be the case with your Petitioners, none of its land would be taken, the position is different. The only compensation ordinarily payable comes after completion of the works - and then only in respect of some aspects of the operation of the works, not their construction. Paradoxically, therefore, greater loss would be suffered by being adjacent to works but retaining one's land than by being in the way of works and having the land acquired.

3.14.2 The lack of any material proposals from the Promoter to deal with this issue is unacceptable, and if left unresolved, will lead to problems of a national scale and undermine the principle that no business should suffer because of the Bill proposals, but rather that adequate mitigation and compensation should be available under such exceptional circumstances.

3.14.3 If adequate mitigation does not prove possible, if the Promoter will not agree to provide it, or if it proves ineffective, compensation in one form or another, e.g. monetary or temporary relocation, or a combination of both, should be provided. The significance of the activities of your Petitioners are such that it would be against the public interest for your Petitioners to suffer uncompensated loss in consequence of the HS2 works.

3.14.4 The Committee is therefore asked to direct that the compensation regime under the Bill be amended accordingly. A solution which would go some way towards meeting the concern would be, as put to the Commons Select Committee in relation to the Bill, that: a provision be included in the Bill that section 10 of the Compulsory Purchase Act 1965 should apply for the Petitioners (or (should the Committee determine) in the Euston CPA or generally), where there is injurious
affection of an interest in land directly attributable to the carrying out of the works authorised by or directly connected with the Bill.

3.15 **Burden of increased costs including maintenance, insurance and professional fees associated with HS2 and engagement processes**

3.15.1 Your Petitioners are concerned that the general maintenance and insurance costs of its property (including buildings and contents) will increase significantly for the duration of the HS2 works, without proper or adequate compensation. It will also individually and as a member of the Group have to incur costs of professional advice, e.g. as to party wall issues, threats to the fabric and contents of the building, dust control, asset protection and other issues which arise in the course of the now extended period over which HS2 and associated works are contemplated.

3.15.2 These costs are all likely to be significant, an additional overhead for your Petitioners to bear and will divert funds from being applied to your Petitioners' charitable objects.

3.15.3 Your Petitioners therefore ask that the Committee direct the Promoter to reimburse your Petitioners in respect of all such costs.

4 **THE PRAYER**

The Petitioners therefore ask the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioners remain, etc.

**Berwin Leighton Paisner LLP**

18th April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF BNP PARIBAS SECURITIES SERVICES TRUST COMPANY LIMITED AND BNP PARIBAS SECURITIES SERVICES TRUST COMPANY (JERSEY) LIMITED

Declares that:

1 The Petitioners are specially and directly adversely affected by the provisions of Clauses 1 to 19 and 48 of the Bill and related schedules.

2 Your petitioner

2.1 The Petitioners are BNP Paribas Securities Services Trust Company Limited and BNP Paribas Securities Services Trust Company (Jersey) Limited (hereinafter referred to as "the Petitioners"). The Petitioners are the freehold owners of Townsend Industrial Estate, Park Royal, NW10 7NU which is a secure estate in the vicinity of the North Circular comprising 16 industrial/warehouse units together with estate roads, external parking and storage areas (the "Property") which is adversely and injuriously affected by the provisions sought by the Promoter in Additional Provision 2 to the Bill which was deposited by the Promoter on 13 July 2015.

2.2 The Petitioners are Trustees of the BlackRock UK Property Fund, managed by BlackRock Investment Management (UK) Ltd which is part of the BlackRock Group, a fund management business with assets in excess of $4.5 trillion under management globally. Global Real Estate accounts for $25 billion and the UK Property Fund alone controls in excess of £3.1 billion of UK Real Estate across all sectors, and is an active investor and developer in all UK property markets. It owns more than £500 million of industrial and warehouse assets, and is an active developer of distribution and logistics warehousing across the country. The Fund is a long term investor in Park Royal, and currently holds around £55 million of assets across three properties.

2.3 The Property is in Park Royal. Park Royal is an area in northwest London. It is home to the largest business park in London, occupying about 500 hectares (1,200 acres). Park Royal occupies parts of the London Borough of Brent and the London Borough of Ealing. The Property is in the London Borough of Brent.

2.4 Park Royal business park contains over 1,200 businesses, employing an estimated 35,000 workers. Approximately 500 food companies operate at Park Royal,
employing more than 15,000 people. It is estimated that one third of all the food consumed in London is produced by businesses in Park Royal.

Compulsory acquisition powers sought

2.5 The Petitioners' Property is proposed to be compulsorily acquired in whole or in part, temporarily or permanently, as follows. A notice (Notice No: C271/009561) ("the Notice") addressed to BNP Paribas Securities Services Trust Company Limited and dated 13 July 2015 provides that:

2.5.1 Plot number AP2-1 on replacement plan 1-47 will be compulsory acquired. Compulsory acquisition will be limited to the "acquisition of rights over property" (Schedule D(AP2) to the Notice) for the purpose of "Provision of access for construction and maintenance" (Clause 5(3) and Schedule 8, row 4; or Clause 5(4) and Schedule 8, row 4 of the current version of the Bill); and

2.5.2 Plot number AP2-2 on replacement plan 1-47 will be compulsorily acquired. Compulsory acquisition will be limited to the "temporary possession of land" (Schedule F(AP2) to the Notice) for the purposes of "Provision of access for utility works" (Clause 14 and Schedule 15, Part 4, row 2; or Clause 15 and Schedule 16, Part 4, row 2 in the current version of the Bill).

2.6 The "Supplementary Environmental Statement and Additional Provision 2 Environmental Statement" Volume 2, Community forum area report, CFA5, Northolt Corridor (the "ES") states in relation to the Property at paragraph 5.1.4:

"This amendment to Bill powers therefore relates to temporary rights of access over the existing private road and the works required to extend the access into the F-sidings satellite construction compound".

2.7 Neither Additional Provision 2, nor the ES explain what the utility works are in the "provision of access for utility works" referred to in Schedule 16, Part 4, row 2. The Petitioners have sought clarification from the Promoter as to the type of utility works and whether or not the utility works will be in/on/over/under plot AP2-1 or AP2-2. The Promoter has confirmed that it does not intend to undertake utility works within plot AP2-1 but has failed to provide the remainder of the information requested. The Petitioners have assumed that the utility works are in/on/over/under the F-sidings satellite construction compound, but if these works affect or are in/on/over/under plots AP2-2 then such works have not been environmentally assessed and are objected to.

2.8 Additional Provision 2 does not make clear whether the Promoter seeks exclusive use of plots AP2-1 and AP2-2. It is assumed that as the Promoter is seeking only rights over AP2-1 that exclusive use is not proposed but that the Promoter will expect the rights it seeks to be available at all times irrespective of existing rights that may exist over the same area and which will conflict with the rights sought by the Promoter. The Promoter confirmed in its Promoter's Response Document (December 2015) relating to the Petitioner's petition to the House of Commons, that it does not require exclusive use of AP2-2. However, the Promoter has not confirmed whether or not there will be periods when use of AP2-2 may not be available to the Petitioner or its tenants. This is assumed to be the case, given the utilities works proposed.

2.9 It should also be noted that whilst the Promoter has sought rights of temporary possession over AP2-2 for access for utility works, it has not sought such rights in relation to AP2-1, over which the Promoter has sought only the power to acquire rights for "access for construction and maintenance". It is likely that the
connections to the required utilities (e.g. power, telecommunications etc.) would need to be made from Waxlow Road. It therefore appears that the Promoter has failed to secure the rights required across AP2-1 under the Bill as currently drafted.

Petition to the House of Commons

2.10 As a result of the likely adverse impacts on the Property arising as a consequence of Additional Provision 2, the Petitioners were required to petition against the Bill in the House of Commons (Petition Number AP2:151). The Petitioners appeared before the House of Commons Select Committee on 26 January 2016. The Petitioners reached an agreement with the Promoter in respect of the petition minutes before their scheduled appearance. The agreement was communicated to the House of Commons Select Committee by Richard Turney, counsel for the Promoter, and is recorded in the uncorrected transcript from the afternoon’s hearings. The Petitioner’s petition is dealt with at pages 49 – 51 of the transcript. In summary, the Petitioners and the Promoter have agreed to the following terms:

(a) The Promoter must produce a report to identify all options for access to the F-sidings satellite construction compound, including but not limited to the options identified in the Petitioners’ evidence, and the “Premier Park Road option”.

(b) The Promoter will assess the impact of each option on the basis of a comparison between those options.

(c) In the comparison of the options, the Promoter must not exclude options with reference to the financial cost to the Promoter.

(d) The impact criteria in the assessment must include assessment of the impact on businesses.

(e) The report must also include an appraisal for the provision of utilities under each option and the impact of those works.

(f) The Promoter must provide a draft of the report to all affected parties by close of business on 2 May 2016.

(g) Affected parties may make representations on the draft report, and must do so by close of business on 30 May 2016.

(h) Those representations must be taken into account by HS2 before the finalisation of the report.

(i) The Promoter must decide by 1 August 2016 whether to proceed with the scheme under Additional Provision 2 or another solution on the basis of that report, and with regard to the timely economic delivery of the scheme in relation to the delivery and use of the F-sidings satellite construction compound.

(j) The Promoter will not contend that it is not open to the House of Lords to require the Promoter not to exercise the powers in schedule 8 and 15 of the Bill in respect of plots AP2:1 and AP2:2.

2.11 The Petitioners will therefore not know the outcome of the Promoter’s report until 1 August 2016.

3

Your Petitioner’s concerns

3.1 The Petitioners support the principle of the construction and operation of a high speed railway and associated development between London and the West Midlands. The Petitioners seek to work together with the Promoter, the Government, HS2 Ltd and relevant local authorities to facilitate the provision of Phase 1 of HS2.

3.2 The Petitioners are, however, concerned about the provisions of the Bill as these may affect the Property and the businesses that occupy the Property. For this reason the Petitioners object to the Bill and its provisions as set out in this Petition and they allege and are prepared to prove that they and their property, rights and interests are injuriously and prejudicially affected by the Bill for the reasons (amongst others) set out below.

3.3 The Petitioners also seek to enter into an agreement with the Promoter to address their concerns.

Compulsory purchase and acquisition of airspace, subsoil, rights and related matters

3.4 The Petitioners object to the provisions of Clauses 1 to 19 and 48 of the Bill and the related schedules which adversely affect and interfere with the Property. Under these provisions, the Promoter would be able to acquire compulsorily plots AP2-1 and AP2-2 on replacement plan 1-47 within the limits of deviation, or at least so much of the airspace, subsoil and undersurface or such new rights, under or over the Property as the Promoter may require for the purposes of the construction and maintenance of the scheduled works. In respect of the Property the Petitioners question the need for such extensive powers, fearing that their exercise could lead to damage to the Property and to a serious detraction from the Petitioners’ and their tenants’ quiet enjoyment of the Property, with the result that significant loss and damage could be suffered by the Petitioners.

3.5 The Petitioners submit that the Promoter should be required to demonstrate:

3.5.1 that interference with private property rights and interests pursuant to the Bill is both necessary for the purposes of the Bill and in the public interest;

3.5.2 that the powers for the compulsory acquisition of land or of interests in land, the power to construct works and the exercise of works and ancillary powers within the limits of deviation are restricted in relation to the Petitioners’ Property to the extent (if any) to which these can be justified so as to minimise or prevent interference with the Property;

3.5.3 that any interest in the Property acquired by the Promoter (in terms of the area over which it is to subsist, the form in which it is to take at law and any express or implied constraints which may be imposed upon the remainder of the Petitioners’ Property) is limited only to that which is absolutely necessary for the construction, safe operation and maintenance of the proposed works.

3.6 The Petitioners have not been provided with full justification for the proposals in the Bill affecting their Property and are not satisfied that it is necessary or
expedient for the powers of the Bill to apply at all or in the manner or to the extent proposed in relation to the Property.

3.7 The Petitioners submit that Clause 48 of the Bill should be deleted (insofar as it may be exercised against the Property and any other properties owned by the Petitioners in the vicinity of the HS2 route at any time). It is unjustified and without precedent, as the power to acquire land is not limited spatially or by time.

3.8 The Petitioners submit that:

3.8.1 compensation provisions in respect of compulsory acquisition in the Bill are inadequate to:

(a) compensate the Petitioners for the loss, damage and inconvenience which they are likely to suffer as a result of the construction and subsequent use of the proposed work; and

(b) compensate the Petitioners in circumstances where no land (or interests in land) is acquired by the Promoter under the Bill, but where the value of such land is reduced or where such land is injuriously affected by the construction or use of the proposed works.

Adequate compensation provisions should be included in the Bill.

3.8.2 further provisions should be included in the Bill in relation to the making and assessment of claims for compensation and amendment to the Compensation Code, as well as indemnifying the Petitioners for any loss they might suffer as the result of losses incurred in the shadow of the HS2 proposals, unfavourable rent reviews or lease negotiations respecting the leases currently affecting the Property imattributable to the reduced rent payable (as it may differ from open market rent) attributable to the scheduled works and the effect of these on the Petitioners’ Property or for any loss (so attributable) which the Petitioners might suffer in the event of them not being able to re-let the Property (in whole or in part) to existing or new tenants or in the event of them only being able to do so at a reduced premium or rent.

Your Petitioners’ concerns in relation to the Property

3.9 The Property comprises 16 industrial units. 14 of which are let to Fletchers Bakeries Limited (units 1-4 and 7-16) ("Fletchers") and 2 are let to Ever Fortune Limited (units 5 and 6) ("Ever Fortune"). The relevant principal terms are as follows:

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<thead>
<tr>
<th></th>
<th>Fletchers Limited</th>
<th>Bakeries</th>
<th>Ever Fortune Limited</th>
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<tbody>
<tr>
<td>Lease expiry</td>
<td>23 &amp; 24 June 2023</td>
<td>23 June 2021</td>
<td></td>
</tr>
<tr>
<td>Break date</td>
<td>24 June 2021</td>
<td>-</td>
<td></td>
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<tr>
<td>Next rent review date</td>
<td>24 June &amp; 8 Sept 2018</td>
<td>24 June 2016</td>
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3.10 The Petitioners are aware that Brixton Properties Limited, Brixton Nominee Premier Park 1 Limited, Brixton Nominee Premier Park 2 Limited, Premier Greenford Gp Limited, Brixton Nominee 8 (Jersey) Limited, Brixton Nominee 9 (Jersey) Limited,
Brixton Nominee 26 (Jersey) Limited, Brixton Nominee 27 (Jersey) Limited and Brixton Limited ("Brixton") petitioned seeking removal of plot 375 shown on plan 1-47 from the Bill. Plot 375 provided access from the public highway known as Waxlow Road to the F-sidings satellite construction compound along a roadway and parking area forming part of Brixton's property known as Premier Park.

3.11 Brixton in their Petition (No. 0445) advised (at paragraph 83) that plot 375 forms part of the vehicle parking area for Royal Mail, an important tenant at Premier Park. They stated that Royal Mail has confirmed that this land is in constant use in connection with mail delivery. It was argued by Brixton that the removal of plot 375 would result in Royal Mail's accommodation at Premier Park no longer being fit for purpose with the effect that they could be forced to relocate. It was stated that any such relocation by Royal Mail would severely impact on the economic viability of Premier Park and lead to a reduction in the number of jobs provided by Premier Park.

3.12 Royal Mail in their petition (No. 0216) advised (at paragraph 22) that plot 375 is used for operational and staff vehicle parking, that the operation relies heavily on the parking spaces being available, that they would not have chosen the site if the parking had not been available long term, and that the availability of plot 375 for parking is important for the viability of the site.

3.13 In the Additional Provision 2, Explanatory Information on page 7 under the heading "Description of Amendment" it states "Provision of alternative temporary access to a construction compound at Willesden sidings." The "Reason for amendment" is given as "Landowner/Petitioner request". The consequence of Brixton's petition was that the Promoter relocated the proposed access to the F-sidings satellite construction compound from Premier Park to the Property. However, rather than resolving the issues raised by Brixton the relocation has simply shifted the issues to the Petitioners' Property where the impacts are likely to be more, and not less, severe.

3.14 Notwithstanding that the ES (paragraph 5.1.5) indicates that the "F-sidings satellite construction compound ... is expected to be operational for approximately 9 years", Additional Provision 3 and the Supplementary Environmental Statement 2 make clear that the compound is expected to be operational for 17 years. During this period both the break date, rent review dates, and lease expiry dates (shown above) will fall. The likelihood of Ever Fortune not renewing its lease and Fletchers exercising its break and not renewing its lease are considered to be considerably increased by the Promoter's proposals in relation to plots AP2-1 and AP2-2. The Promoter's proposals are also likely to affect the rent review. The loss of the tenants, or lower than market rent roll for the Property will affect the value of the Petitioners' asset. The full quantum of these losses are not necessarily compensatable under the Bill provisions.

3.15 The power to use the Petitioners' access road/parking/turning area (AP2-1 and AP2-2) will cause prolonged disruption to its tenants as well as local businesses (on Waxlow Road) and the Petitioners are concerned that this would impact on the operational efficiency of its tenants and their subsequent ability to compete in a tough economic market. The Petitioners are also concerned that the potential road disruption will not only adversely impact the leasing market in the area i.e. its ability to let vacant units, but also (as set out above) to retain existing tenants with lease breaks and expiries. This could in turn adversely impact levels of direct and indirect employment and revenue generation in the local area.

3.16 It should be noted that despite repeated requests from the Petitioners, the Promoter has not been able to produce a single document setting out the
assessment carried out by the Promoter before it decided to re-route the access to the F-sidings satellite construction compound through the Property. The Promoter has not even been able to confirm whether such an assessment exists. It appears likely that no assessment or no proper assessment was in fact carried out.

3.17 The Promoter has also confirmed that it did not re-appraise its consideration of the use of AP2-1 and AP2-2 prior to its decision to promote Additional Provision 3 and the consequent extension of the duration of use of the compound from 9 to 17 years. In addition, on 11 April 2016, the Promoter notified the Petitioner of a further intensification of use of the access through the Property to the F-sidings satellite construction compound.

3.18 Moreover, the Promoter failed to consult or engage with the Petitioners about the likely impacts on their business prior to publication of Additional Provision 2 and the Petitioners were first made aware of the proposals upon receipt of a notice from HS2 (Notice No: C271/009561) dated 13 July 2015 and addressed to BNP Paribas Securities Services Trust Company Limited. Consequently, the Promoter does not appear to have understood the nature and operation of the Property when preparing Additional Provision 2.

Fletchers

3.19 Fletchers are the principal tenant at the Property. They have been tenants for more than 20 years. They have specially adapted their units for the purposes of their business. Fletchers are a large scale bakery business, supplying freshly baked goods daily on a nationwide level to a number of leading UK supermarkets. Fletchers have concerns in relation to significant operational disruption to their business, safe management of vehicles/pedestrians, servicing, parking, dust and environmental pollutants.

3.20 Fletchers submitted a petition against Additional Provision 2 to the House of Commons (Petition Number AP2:118).

Ever Fortune

3.21 Ever Fortune have been tenants for 14 years since 2001. They are a food production/preparation and logistic company. Ever Fortune have concerns in relation to lorry movements/congestion, dust, noise and poor air quality.

3.22 Ever Fortune also submitted a petition against Additional Provision 2 to the House of Commons (Petition Number AP2:113).

Dust and environmental pollutants

3.23 Fletchers and Ever Fortune are dust sensitive tenants of the Petitioners. The nature of their businesses requires strict adherence to hygiene standards. Contamination from dust or other environmental pollutants could severely impact on the ability to trade from the Property. The acquisition of plots AP2-1 and AP2-2 could result in the tenants relocating away from the Property due to concerns over dust and other environmental pollutants caused by the exercise of the Promoter of its proposed powers in relation to plots AP2-1 and AP2-2. The potential contamination of the tenants' products could lead not only to a loss of customers, but also to the closure of the businesses under environmental health legislation. The costs of acquiring additional dust/pollutant filtration/air handling systems and putting in place additional management measures to preserve the quality of the tenants' products is likely to be disproportionate. A relocation from the Property would be likely.
3.24 Ever Fortune additionally have considerable health concerns for staff with the additional dust, noise and poorer air quality during their day to day employment next to the construction access and in the vicinity of the construction footprint throughout the duration of the HS2 construction.

Traffic Movements/Parking

3.25 Fletchers currently use plots AP2-1 and AP2-2 for loading and unloading Heavy Goods Vehicles. There are currently an average of 30 HGVs entering the Property per day. These vehicles are unloaded, or loaded, by forklift trucks which operate on the access road (AP2-1). Due to the space available on the industrial estate, the HGVs are parked on the private access at all times whilst on site. There is no suitable separate loading bay available for use. Fletchers' schedule for deliveries and collections means that there are generally at least two HGVs parked on the site at all times during a 24 hour cycle. During busy periods there are likely to be at least six HGVs parked on the access road. The nature of Fletchers' business means that the site is in use 24 hours a day and therefore there are HGVs parked on site around the clock with no suitable alternative.

3.26 Additional Provision 2 also requires the use of a car parking area (AP2-2) that is on the Property. This area has two functions for Fletchers. First it provides 20 parking bays for Fletchers' staff, and is also used for the open storage of pallets and bread baskets. There is no easy alternative available to Fletchers' staff many of whom work unsociable hours. Equally, as Fletchers' operates 24 hours a day, it is not feasible for staff to rely on public transport for travelling to and from the Property. In addition, given the layout of the Property and the way it is utilised by Fletchers, there is no straightforward alternative for the storage of the pallets and bread baskets. Further, the parking area is the only area of the Property that allows for HGV's to turn around. Fletchers' have been served with Improvement Notices by the Health and Safety Executive which requires that they ensure that all HGV's entering the site make appropriate use of the turning area. If Fletchers were unable to use the area it would not be possible to comply with the notices. A breach of an Improvement Notice is a criminal offence.

3.27 Fletchers are concerned that if the additional provisions are implemented, HGV access to the site for Fletchers' business would be difficult, if not impossible. Equally, parking for staff will be impossible and Fletchers will be unable to comply with the Improvement Notices relating to HGV movement. This is likely to have a significant impact on Fletchers' ability to trade from the site as it will no longer be fit for purpose. This has the potential to result in the loss of work for the 350 staff that Fletchers currently employs on the site. Furthermore, Fletchers would not have chosen to continue trading from the site if the land had not been available on a long term lease which ensured the ability to use the access way for loading and unloading in the way that it is currently used.

3.28 Furthermore, on 13 January 2016, the Petitioners were informed that access to the F-sidings satellite construction compound is also required for abnormal loads. The Promoter has failed to provide any information on the type of vehicle or frequency and has not provided an assessment on the ability of the access road at the Property nor the route from the strategic highways network to the Property to accommodate abnormal loads. Moreover, it appears that the environmental impact of the abnormal loads has not been assessed by the Promoter. Clearly the impact on the operation of the Property will be greater as a result.

3.29 The Petitioners do not consider that it is necessary for the Promoter to have use of AP2-2 at all, or in the alternative to have any sort of priority use of AP2-2 where it is able to exclude the Petitioners and the tenants from using AP2-2. Whilst it may
not be possible for parking in this area to be retained, the use of this area as a
turning area for HGV’s (as currently used) may be capable of being managed via
traffic management procedures being put in place (provided the space is kept
clear). The Petitioners submit that the nominated undertaker should be required
(by way of binding mitigation measures) to put such traffic management
procedures in place.

3.30 The 20 parking spaces that will be lost (including 2 disabled parking spaces) and
the storage space for pallets and bread baskets will need to be re-provided by the
Promoter. There are no additional areas within the Property where these parking
spaces and storage area could be relocated. The Petitioners submit that the 20
parking spaces and storage area for pallets and bread baskets should be re-
provided before plots AP2-1 and AP2-2 are acquired.

3.31 Ever Fortune are additionally concerned about lorry movements, the creation of
dust and noise, poor air quality, and 24 hour working which will inevitably lead to:

3.31.1 severe traffic congestion along the main artillery road entering and exiting to and
from their building which will severely disrupt their business and general day to day
access; and

3.31.2 concern/impact to their business as Ever Fortune are a food production/preparation
and logistic company by the additional volume of construction traffic to an already
congested single access road shared locally by Ever Fortune and adjoining
properties that is being used by articulated lorries at all times to load and off load
materials.

Fletchers and Ever Fortune – jobs/viability/relocation

3.32 A reduction in parking, and most importantly a reduction in disabled parking would
affect the ability of staff to access their employment. This could lead to a loss of
jobs at the Property. It is likely that the Property would no longer be fit for the
Petitioners’ tenants purposes in relation to traffic and air quality issues if the
Promoter’s proposals in relation to plots AP2-1 and AP2-2 remain within the Bill.
Both tenants could be forced to relocate. Any such relocation would severely
impact on the economic viability of the Property and lead to a reduction in the
number of jobs provided at the Property.

Alternative routes

3.33 The F-sidings satellite construction compound is a linear compound bounded by the
A406 North Circular Road to the west, the west coast main line to the north,
Premier Park to the south, and the Petitioners’ property to the east. Proximate
highways include Abbey Road, Premier Park Road and Waxlow Road. There are a
number of internal estate roads leading from these highways giving access to
Premier Park, the Property, the A406 North Circular Road and the west coast main
line.

3.34 In particular, the Petitioners have identified and assessed a suitable alternative
access route via Abbey Road to the F-sidings satellite construction compound which
has a number of benefits over the current access across the Property. At its
western extent, the F-sidings satellite construction compound abuts the A406 North
Circular Road and the boundary of the construction compound abuts the line of the
footway/cycleway that crosses the A406 on a cable-stayed bridge. Parallel to the
footway/cycleway, as it runs south from the bridge, is a redundant section of
access road that leads towards the construction compound. An established, but no
longer used access therefore exists that could be re-used as a means of accessing
the construction compound. A hard standing continues from this point into the construction compound.

3.35 Moving away from this point, the footway/cycleway continues south and bifurcates. One section continues south to meet the southbound slip road of the A406 while the other section turns south east and passes between two industrial units on the periphery of the Park Royal Industrial estate. The section of footway/cycleway, which is 4.5m wide, ends at an extension of Abbey Road (the "Abbey Road Link") that terminates close to the entrances to the two industrial units (currently occupied by D-Link and Bestway).

3.36 This route is not parked and appears to be lightly used and would give direct access from the strategic highway network, which would be of substantial benefit from a construction logistics perspective and otherwise.

3.37 The route could be operated as either a "one-way" or "two-way" system. If a one-way system was adopted, an exit route could be taken via the rear of the Bestway service yard and its access road (that passes along the south side of the Bestway building), and that exits on to the Abbey Road Link.

3.38 Alternatively, to avoid the need for an access via the Bestway site, the section of footway/cycleway could be made two-way, by widening the existing route into the landscaped area below the Bestway car park, part of which is within the public highway, with the remainder in land which it is understood already benefits from rights granted in favour of Network Rail.

3.39 Both of the one-way and two-way working options would result in a journey distance saving of approximately 4,485km (2,787 miles).

3.40 The Petitioners submit that this alternative vehicular route to the F-sidings satellite construction compound is superior to that sought to be created on the Petitioners’ Property for the following reasons:

3.40.1 The Petitioners’ Property is accessed off Waxlow Road, the road is a dead end and the Petitioners’ Property is almost at the end of Waxlow Road meaning the Promoter’s traffic would need to traverse almost the entire length of Waxlow Road from its junction with Acton Lane. Waxlow Road has industrial units along both sides for its length, the Promoter’s traffic could potentially conflict with existing traffic on Waxlow Road serving those units. The Promoter’s traffic would need to enter and exit via Waxlow Road, no “one way” operation would be possible.

3.40.2 The Property’s estate road (plot AP2-1) does not lead directly into the F-sidings satellite construction compound requiring the additional acquisition of plot AP2-2 (on a temporary basis) to allow that connection. No such additional land is required if the alternative access suggested is used, as there is already an existing access into the F-sidings satellite construction compound from the alternative access in question. It is the proposed acquisition of plot AP2-2 that leads to the loss of parking spaces and the storage area for pallets and bread baskets.

3.40.3 Waxlow Road does not have as direct a connection to the strategic highway network as the alternative access suggested meaning a potentially longer route, more vehicle miles and consequently the release of additional atmospheric pollutants.

3.40.4 The F-sidings satellite construction compound is considerably wider at its western end than its eastern end, the alternative access suggested is at the western end and plots AP2-1 and AP2-2 at its eastern end. The alternative access suggested
therefore could offer greater flexibility in relation to vehicle circulation and traffic management within the compound.

3.41 The Petitioners submit that plots AP2-1 and AP2-2 should be removed from the scope of the compulsory purchase powers of the Bill and appropriate rights sought instead over the alternative access. Not only would the rerouting along Abbey Road avoid the severe adverse impacts on the Property, but establishing an access closer to the strategic road network also offers environmental benefits through reduced travel distances and removes HGV traffic from Waxlow Road and its environs.

3.42 The Petitioners also consider that the original route of the eastern access across Brixton's land (plot 375) should not be dismissed, not least because traffic surveys have indicated that plot 375 is far less intensively used than the Property and, it follows that its use to provide access from Waxlow Road to the compound will be much less impactful. The route across plot 375 also leads directly into the F-sidings satellite construction compound and does not need any additional land to connect into it such as plot AP2-2.

3.43 Plot 375 comprises effectively a road with parking bays along most of its length on one side of the road only. The existing access is sufficiently wide enough to allow the passage of an HGV (and abnormally long loads) past the parking spaces, although it is not wide enough to accommodate simultaneous two-way operation. To address this, and maintain use of the parking spaces (by Royal Mail), a simple shuttle working system could be introduced.

3.44 Alternatively, the 55 spaces currently located within plot 375 could be relocated to the existing car park immediately to the west. A lightweight car park deck could be constructed above the existing car park to cater for the 55 spaces associated with Royal Mail. These spaces could be accessed via a ramp taken from plot 375 so that Royal Mail employees would continue to use Waxlow Road to access their parking spaces. This option would allow plot 375 to be resurfaced and used as an access road without impacting on the operational requirements of Royal Mail.

3.45 A further alternative option would be the use of Unit 12A which is located on Waxlow Road to the south of the Property. Unit 12A is currently occupied by a skip company for the storage of skips, which use is unauthorised and has been registered as a breach of planning control by the London Borough of Brent. Unit 12A has been assessed and is considered to represent a suitable alternative car park to temporarily accommodate the 55 Royal Mail spaces. This would not fundamentally impact on the location of Royal Mail's operational and staff car parking and as such would not affect the operation of its business.

3.46 Plot AP2-1 comprises not only the carriageway of the access road, but also all of the parking and loading areas for the units either side of that carriageway (both areas form part of the access road, however, and there is no separation). HGV's are frequently parked within those loading areas. Neither Fletchers nor Ever Fortune could operate their businesses without use of those areas. If the Promoter was willing to reduce its requirement to the use of the carriageway only of plot AP2-1 then the width available is likely to be narrower than the road (excluding parking bays) within plot 375 in terms of the width available for the Promoter's traffic. The Petitioners submit that no rights should be sought over plot AP2-1 or in the alternative the rights sought should be limited to the carriageway of the access road.

3.47 Use of the alternative route suggested above, or the original route across plot 375 would not require the removal or reinstatement of a fence and car park (as
referred to in the ES at paragraph 5.1.5) which is the case with the use of plot AP2-2.

3.48 Given that the Property is some distance from the route of Phase 1 of HS2 and in the absence of any justification for the acquisition of this land, the Petitioners do not believe that this land is necessary for the construction and operation of Phase One of HS2 and as a result the Property should be removed from the Bill.

Constitution of works proposed to be authorised by the Bill

3.49 The Petitioners are concerned about the impact of the construction and operation of a high speed railway and its associated development on the Property. The Petitioners request that the nominated undertaker be subject to binding mitigation measures to mitigate the impacts of these works. These binding mitigation measures should include but not be limited to restrictions on noise and vibration, construction hours, vehicle movements and operating hours, monitoring compliance with these restrictions and enforcement of these restrictions. The nominated undertaker should also mitigate the impact of noise and vibration through measures such as noise insulation and barriers.

3.50 The Petitioners submit as follows in relation to the Code of Construction Practice ("CoCP"):

3.50.1 The nominated undertaker’s on-going accountability is unspecified. The CoCP does not identify how any lead contractors will be made to comply with the CoCP, nor does it specify the redress and appropriate action that might be taken in the event that the contractors do not comply with the CoCP. This should be made clear.

3.50.2 The HS2 Phase 1 Environmental Statement is made on the assumption that the CoCP and the strategies will be fully effective. The CoCP has no legal status. This should be remedied.

3.50.3 The CoCP should be incorporated into the Bill. Parliament and not the nominated undertaker should be accountable for the project. Any monitoring required under the CoCP should involve the relevant local authority as well as independent experts.

3.50.4 The standards set out in the HS2 Phase 1 Environmental Statement and the CoCP are “reasonableness” and “reasonable endeavours”. This should be replaced by a higher standard, i.e. “best practicable means” or “best endeavours” and the measures should be agreed with the relevant local authority and Community Forum Area. Measures should be subject to independent assessment, verifiable and challengeable.

3.50.5 A specific construction management plan should be produced to manage and co-ordinate the operation of construction compounds which should outline the phases of activity and a co-ordinated management of their interaction, and a framework for enforceable measures. A construction management plan should be available to each Community Forum Area showing the timetables and community impact, as well as mitigation measures.

3.50.6 Binding mitigation measures hours of construction should be strictly limited from 08:00 to 17:00 Monday to Friday.

3.51 If plots AP2-1 and AP2-2 on replacement plan 1-47 remain in the Bill as proposed to be amended it will be necessary for the construction management plan for the F-sidings satellite construction compound to include specific 24 hour traffic management measures (or if the measures in paragraph 3.50.6 above are agreed...
then the traffic management measures will need to be operational at
commensurate times) to manage the very likely conflict between traffic (particularly
HGV traffic that already utilises plots AP2-1 and AP2-2) and the Promoter's traffic.

3.52 If plot AP2-1 remains within the Bill, the upkeep of the access road that forms plot
AP2-1 is also a concern for the Petitioners, the road is maintained by the
Petitioners but its upkeep is paid for via service charges from its tenants. The ES
only refers to the Promoter reinstating the car parking (on AP2-2) but no mention
is made of works to AP2-1. The Promoter will be expected to contribute to the up
keep of AP2-1, and to modify its expectations in relation to the rights sought over
AP2-1 at such times as works are undertaken to maintain/repair/replace the AP2-1
access road. These requirements should be included in binding mitigation measures
by the nominated undertaker.

Noise

3.53 The Petitioners are concerned:

3.53.1 That having regard to the noise sensitive nature of the businesses at the Property,
the construction of the high speed railway and its associated development is likely
to create considerable disruption.

3.53.2 About the effects of noise arising from the construction of the high speed railway
and associated development including heavy lorry traffic. The Petitioners are also
concerned that the operation of the high speed railway will give rise to adverse
noise impacts.

3.53.3 That Clause 36 of the Bill and Schedule 26 provide that appeals against notices or
against failure to give consent or the giving of qualified consent under the Control
of Pollution Act 1974, section 63 (control of noise) and section 64 (prior consent for
work on construction sites) may be referred to the Secretary of State for
arbitration. The Petitioners are also concerned that Schedule 26 would provide a
defence to statutory nuisance for the nominated undertaker.

3.54 The Petitioners request that:

3.54.1 The nominated undertaker should be compelled to use best available techniques in
the construction and operation of the high speed railway and its associated
development to ensure that no noise can be heard in the units on the Property and
there are no other adverse effects.

3.54.2 There should be binding mitigation measures including an effective noise mitigation
and monitoring system in place before commencement and during construction and
operation of the high speed railway and associated development.

3.54.3 The binding mitigation and monitoring measures should be decided by a panel of
independent experts on the basis of independent expert evidence. Binding
mitigation measures should include but not be limited to full noise barriers and
noise insulation for buildings and re-housing. The trigger levels at which point noise
mitigation becomes necessary should be reduced.

3.54.4 Clause 36 and Schedule 26 are deleted from the Bill.

Vibration

3.55 The Petitioners are concerned:
3.55.1 About the effects of vibration arising from the construction of the high speed railway and associated development including heavy construction traffic.

3.55.2 That the operation of the high speed railway will give rise to vibration.

3.56 The Petitioners request that:

3.56.1 The nominated undertaker should be compelled to use best available techniques in the construction and operation of the high speed railway and its associated development to ensure that no vibration can be felt at the property and there are no other adverse effects.

3.56.2 There should be binding mitigation measures including vibration and resultant damage mitigation and monitoring systems in place before commencement and during construction and operation.

Highways

3.57 The Petitioners are concerned:

3.57.1 That the construction of the high speed railway and associated development at highway in the vicinity of the Property and on the wider area will impact significantly upon the use of the Property by way of noise, disturbance, visual intrusion and traffic increases.

3.57.2 About the use of unsuitable highways by large vehicles (including abnormal loads) delivering equipment and supplies, and removal of spoil during the construction works as well as use of highways by other vehicles.

3.57.3 The use and routing of large vehicles (including abnormal loads) within the vicinity of the Property.

3.58 The Petitioners request that:

3.58.1 Hours for the movement of construction traffic are limited to 08:00 to 17:00 Monday to Friday, and there are limits on the number of vehicle movements, limits on the size of vehicles, and other miscellaneous related matters.

3.58.2 Large vehicles as well as other construction traffic must be strictly controlled, having regard to the particular sensitivities of the area. The nominated undertaker should be subject to binding mitigation measures in relation to the control of all construction traffic, assessment of suitability of roads for construction traffic, routing of lorries and other vehicles in accordance with a list of routes to be agreed with the nominated undertaker and the Petitioners.

3.58.3 Binding mitigation measures should include traffic management plans to be agreed between the nominated undertaker, the relevant local authority and the relevant highway authority to be monitored and enforced by environmental health officers.

Dust, Dirt and Disturbance

3.59 The Petitioners are concerned:

3.59.1 About dust and dirt produced during construction of the scheduled works. The Petitioners would wish to see binding commitments imposed on the Promoter to require adherence to agreed measures to reduce dust, and to carry out additional...
mitigation if dust continues to be a nuisance to the Petitioners' Property and its tenants.

3.59.2 That surface works, particularly the use of working sites and the removal of spoil, will further impact upon the quiet enjoyment of the Property. Major increases in lorry movements during the construction period are to be expected, this will have a disruptive effect on the roads used for vehicle routing and nearby roads.

3.60 The Petitioners request that:

3.60.1 Provision be made to ensure that the Promoter takes responsibility for the reimbursement of the Petitioners for additional expense caused by dust and dirt, such as more frequent cleaning and painting of their affected Property, more frequent replacement of air conditioning filters, or the purchase/installation/running of additional or upgraded air filtration or air handling equipment required by its tenants who operate dust sensitive businesses.

Services

3.61 The Petitioners are concerned:

3.61.1 That there is the potential for disruption to utilities and other services provided to the Property. Any disruption in the services to the Property is unacceptable to the Petitioners. If the "utility works" in the "provision of access for utility works" in Schedule 15, part 4, row 1 involves disruption of utility services to the Property this is objected to.

3.62 The Petitioners request that:

3.62.1 The nominated undertaker should be subject to binding mitigation measures in relation to any disruption to services and contingency measures in the event of disruption to services. The binding measures should include implementing alternative proposals prior to any relocation of utilities and indemnifying the Petitioners for any loss or damages arising from such works.

Blight

3.63 The Petitioners respectfully submits that the proposals contained in the Bill are causing a blight on the Petitioners' Property. The Petitioners fear that any prospective lessees will state that the proposals so blight the Property and such land that they are not interested in acquiring any part of them, or that prospective or existing lessees will demand a considerably reduced rent, due to the prospect of the works. Moreover, the Bill does not contain adequate provisions for compensating such blight and the Petitioners respectfully suggest that it should do so. The Petitioners would like a binding commitment from the Promoter not to acquire its Property before a specified date.

Indemnity

3.64 The Petitioners submit that the Promoter should be required to indemnify them from all claims and demands which may be made in consequence of the construction, use or maintenance of the works under the Bill, or their failure or want of repair, or in consequence of any act or omission of the Promoter, his contractors or agents in carrying out the works under the Bill.

Costs
3.65 The Petitioners submit that provision should be made for the Promoter to repay to the Petitioners all proper costs, charges and expenses (including the proper fees of such professional advisers as they may instruct) reasonably incurred in consequence of the Bill or of any provision made as a result of this Petition.

3.66 This is particularly important given that the Petitioners have already incurred substantial unnecessary and wasted expense as result of the unreasonable and unfair actions of the Promoter. As above, despite repeated requests from the Petitioners, the Promoter has not been able to produce a single document setting out the assessment carried out by the Promoter before it decided to route the access to the F-sidings satellite construction compound through the Property. The Promoter has not even been able to confirm whether such an assessment exists. It appears likely that no assessment or no proper assessment was in fact carried out. Moreover, the Promoter failed to consult or engage with the Petitioners about the likely impacts on their business prior to publication of Additional Provision 2. Nor did the Promoter visit the Property prior to the publication of Additional Provision 2. Following the publication of Additional Provision 2, the Petitioners sought to actively engage with the Promoter and demonstrated a willingness to reach agreement where possible but their attempts were met only with late, limited, incomplete and ineffectual engagement from the Promoter.

3.67 Had a proper assessment of the route options to access the F-sidings satellite construction compound been carried out, a reasonable person would not have concluded that access across the Property represented an appropriate access route to the construction compound (or a more suitable option than the access proposed in the Bill as originally drafted). Furthermore, even after deciding to promote Additional Provision 2, a reasonable person would have utilised the ample opportunities offered by the Petitioners to seek to reach a compromise. If these steps had been carried out by the Promoter the Petitioners would not have been forced to incur costs petitioning against Additional Provision 2, or the costs would have at least been less had the Promoter been more willing to properly engage with the Petitioners to reach agreement.

Conclusion

3.68 In light of the above, the Petitioners reserve the right to raise the above matters and any further matters of concern relating to the substance of the Bill and this Petition that may arise from continuing discussions, the preparation and publication of reports, any possible revisions that may be made to current work site proposals or any other matters relevant to the Petitioners' expressed concerns that may occur in due course and prior to our representation before the Select Committee.

3.69 For the foregoing and connected reasons the Petitioners respectfully submit that, unless the clauses of the Bill are removed or amended as requested, the Bill should not be allowed to pass into law.

3.70 There are other clauses and provisions in the Bill which, if passed into law as these now stand will prejudicially affect the Petitioners and their rights, (including their human rights) interests and property and for which no adequate provision is made to protect the Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.
The Petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioners remain, etc.

Berwin Leighton Paisner LLP
Agents for the Petitioners

Date 15th April 2016
To The House of Lords  
Session 2015–16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE HUMBLE PETITION OF (1) ROBERT LATHAM; (2) VLAHO KOJAKOVIC; (3) ANTHONY LEWIS; (4) HARVEY KUTNER; (5) HANNAH CONNELLAN; (6) WILLIAM WHITCOMBE (RESIDENTS OF SILSOE HOUSE, 50, PARK VILLAGE EAST, LONDON NW1 7QH); and (7) SILSOE HOUSE (FREEHOLD) LTD.

 Declares that:

1. The Petitioner and their property, rights and interests in the area of Euston would be injuriously and directly affected by the whole Bill.

The Petitioners

2. Your Petitioners are residents of Silsoe House, 50 Park Village East, London NW1 7QH (the Property), a block of 48 flats. They each hold 999 year leases, issued two years ago, and are shareholders in Silsoe House (Freehold) Limited (“SHFL”), the Seventh Petitioner. Silsoe House looks out onto Camden Cutting, the throat leading into Euston Station.

(i) The First Petitioner, Robert Latham, Flat 28, is a barrister and active member of the local community. He bought his three-bedroom flat, 28 Silsoe House, jointly with his wife Moira in August 2013, having downsized from a house in Mornington Terrace. He wished to remain within his existing neighbourhood where he has lived since 1975, valuing the diverse and vibrant community in the area which has no comparison elsewhere in London. That community will be placed under immense strain by the construction of HS2, and immeasurably greater strain under the latest proposals for Euston Station. Robert is a director and has been Chair of SHFL since January 2016.

(ii) The Second Petitioner, Vlaho Kojakovic, Flat 36, is a senior banker in the European Bank of Reconstruction and Development. His wife, Susan, is a founder and director of Istrros Books. They have a daughter who is entering a critical stage in her senior school studies. They purchased their triplex, three bedroom apartment, in June 2014. All three are committed cyclists and this is their main form of transport top school, the City and in general. Vlaho and Susan both work long hours, often late into the night. They are dependent on the peace and comfort of their home environment to maintain their equilibrium. They dread the prospect of living alongside a massive construction site, knowing the immense strain that this will place on their family and the local community which they love. Vlaho is a director of SHFL; he was the Chair in 2015.
(iii) The Third Petitioner, Anthony Lewis, Flat 32, is a writer and designer working for a charity in central London. He moved into his 3-bedroom triplex apartment in 2012 with his long term partner, Rachel Davies. This is Your Petitioner's first property, bought specifically as a base to start a family. The prospect of seeing the local community upheaved and the character of the area wrecked for over a decade has already impacted on those plans. As an active member of the vibrant local community of young creative professionals in Camden, Anthony, who has always loved the buzz of this area, but cannot see a future for a young family here, given the scale of construction, noise, vibration and pollution that will span an entire childhood. His partner, Rachel, who works at the Royal Free Hospital, is from rural north Wales, and was won over by the gardens and greenery, and the uncommonly safe atmosphere of Park Village East; the environmental ruin inherent in AP3 and SES2 would take away her hopes of finding a corner of calm in London. As two biology graduates, Your Petitioner and his partner take particular pleasure and interest in the surprisingly active and diverse local wildlife, and are appalled by the lack of consideration given to the urban ecology and ecosystems. They are baffled by the absurd imbalance in compensation offered to rural dwellers compared to urban, residents and concerned about the impact on the value of their flat, given the significance of their investment at this stage in their lives and total lack of evidence that this is being fairly considered, and reluctantly feel that their professional and personal lives cannot realistically continue as planned amongst these unacceptable works. Anthony recently became a director of SHFL.

(iv) The Fourth Petitioner, Harvey Kutner, moved to 46 Silsoe House in May 2014. He chose to live in Park Village East partly due to its central location in between Regents Park and Camden and also to be nearer to my main business. He is the managing director/owner of a long established Design, Print & Communications Company based in South West London. He also chairs a local Traders Association and is on the Committee for the Clapham Junction Regeneration Programme. Since he was a teenager he has been actively involved with charity and communal work and youth work and still support these and several other charities. Harvey recently became a director of SHFL.

(v) The Fifth Petitioner is Hannah Connellan, Flat 39: she and her partner Charlie are full-time school teachers locally, in their thirties and with a baby son. Hannah is shortly expecting the arrival of her second child. Hannah suffered a broken back as a child and as a result suffers permanent disability, though she leads a full and active life. Whilst not a Blue Badge holder, she is dependent on access to her car, parked immediately outside on Park Village East to maintain her school commitments and also to service her domestic needs for visits to her GP, clinics, and shops. Hannah is the third generation of her family to occupy her flat and she is filled with fear for the future for her son growing up in a building site with constant noise and pollution levels where currently she enjoys the birdsong, peace and quiet (HS2’s own assessment being that Park Village East is remarkably quiet). She is appalled by the massive changes predicted for her environment, landscape and amenities. Access is a major worry: she fears for her family and professional life as well as the cost impact on her property and the detrimental impact this will have on its structure,
habitability and value. Your Petitioner sees no evidence that the disruption to the lives of children has been properly assessed by HS2.

(vi) The Sixth Petitioner is the Reverend William Whitcombe, Chaplain to The University of the Arts London and Priest-in-Ordinary to HM the Queen. He occupies Flat 4, owned since the beginning of the Silsoe House community by the Church of England. For a clergy-person, Home is a vital place, not only as a retreat from the demands and stresses of pastoral ministry, but also as a haven where people are counselled and entertained. As the Chaplain of a large and busy London university, William has found his small apartment in Silsoe House to be an essential part of his working life. From here he often sees students who are in distress, hosts small student gatherings, and entertains staff. His flat and balcony overlooks Park Village East. The prospect of years of "noise and vibration" is hard to imagine, and he does not see how his flat could continue to be a resource for his working life, or a place for him to recharge, so enabling him to care for others effectively.

(viii) The Seventh Petitioner is SHFL which has held the freehold interest in Silsoe House since 12 February 2014. On 21 September 2015, the Board passed a resolution authorising its directors to petition on its behalf. The First, Second, Fourth and Eighth Petitioners are directors of SHFL. Whilst 31 of the lessees are shareholders in SHFL, 16 lessees are not. The apartments in Silsoe House range from studios (the leasehold interest being valued at some £325k) to three bedroom triplexes (valued at £850k). Any lessee requires the consent of SHFL before any internal alterations are made. This would include the installation of secondary glazing and mechanical ventilation.

The Impact of HS2 on Your Petitioners

3. Silsoe House is a Modernist building, of non-traditional construction with a spacious central lobby, part of which assumes the form of an attractive and airy interior garden, with 3 double height glazed walls set in timber frames and with additional daylight admitted through six substantial skylights. All the flats have large areas of glazing, including doors onto balconies and terraces. A number of the flats have open-plan kitchens. Whilst the works will have a greater impact on the flats facing east towards Camden Cutting, a number of flats at the rear have roof terraces also facing towards the Cutting beyond Park Village East.

4. On 25 November 2013, residents received a land referencing letter notifying them that their "flats and premises" at Silsoe House had been included in Schedule A indicating "the Act shall authorise the compulsory acquisition of the property or the subsoil or undersurface of or airspace over that property or a right to use that property. Acquisition will not be limited to any category of compulsory acquisition". The letter failed to specify the precise works that would impact upon our rights in our homes. We understand that it is limited to the possibility of installing ground anchors. Your petitioners are not entitled to any compensation in respect of the said notice, albeit that works in the Cutting will be executed some 10 metres in front of our block and will extend over many years.
5. On November 2013, the Hybrid Bill was premised on the HS2 works, including the comprehensive development of Euston Station, being completed by 2026. As a result of AP3, the HS2 construction works will now extend to 2033. The Supplementary Environmental Statement is premised on the development of the East part of the station with the classic platforms not starting until 2033. If there is to be a level deck station at Euston, all the lines in the Cutting will need to be lowered. It is unacceptable to your Petitioners that there is not a plan for the comprehensive redevelopment of Euston Station. The current position will blight both our lives and our properties for the next 20-25 years.

6. Under AP3, the reinstatement of Line X a little to the north creates further significant construction works within the Cutting and adding seven more months of day and night working. The Promoter has not adequately assessed (or in some instances assessed at all) the detrimental impacts the extended duration of the phased scheme will have on the health and wellbeing of Your Petitioners.

7. Silsoe House is currently sheltered by a sturdy Victorian brick parapet wall with stone pillars some metre thick which serves to isolate Park Village East from sounds of the conventional running of the mainline railway below. Together with Mornington Street Railway Bridge, the wall is listed. It is also softened by a green screen of mature plane trees and flowering shrubs, so that, psychologically, residents feel protected. Directly behind and below this wall is a large area of railway carriage sheds which are to be demolished to establish a satellite construction compound.

8. The following works will directly impact upon Silsoe House:

   (a) Extensive utility works, including the diversion of a 42” water mains directly in front of our block.

   (b) Demolition of the carriage shed in the Cutting;

   (c) The establishment of a satellite compound in Granby Terrace;

   (d) Deep excavation and construction of new retaining walls within the Cutting

   (e) Construction of a high speed rail dive under box about 30m deep

   (f) Demolition and later the reconstruction of the Line X conventional rail crossover

   (g) Phased demolition and reconstruction over eight years of Hampstead Road Bridge 4.8 metres higher and 220 metres long (double the existing length)

   (h) Demolition and reconstruction of Mornington Street Bridge and stone piers to the north of Silsoe House

   (i) Demolition and reconstruction of Granby Terrace Bridge to the south of Silsoe House
(j) Reception of tunnel boring machines to the north of Silsoe House

(k) The Demolition of 12 metre high Park Village East (PVE) retaining wall to the north of Silsoe House. Reconstruction of PVE retaining walls at a height of 35 metres high above HS2 track level plus 15 metres below existing track level. We have been told that the Promoter does not intend to demolish the Victorian Parapet Wall directly in front of Silsoe House. We understand that the demolition works will be restricted to the wall to the north on Mornington Street.

9. The SES states that Silsoe House is forecast to experience noise levels higher than the noise insulation trigger levels as defined in the draft CoCP. For daytime construction the trigger level is an equivalent continuous noise level of 75 dB measured outdoors, for evening 65dB and for night 55dB. The number of flats assessed as meeting this threshold is unclear. Page 295 of CFA1 (2015) states this to be 25; [4.4.2] of App SV-003-001 states this to be 35. There are 48 dwellings in total.

10. The following works are stated to trigger these thresholds (“the HS2 Works”):

   (i) Day: Demolition of buildings in the station approach, utility diversions, bridge, construction, retaining wall, construction, earthworks excavation, construction traffic with typical and highest monthly noise levels around: 65dB and 80dB.

   (ii) Night: Demolition of the carriage shed, construction of new bridge piers with typical and highest monthly noise levels, around 55dB and 65dB. We note that the amount of night-time noise has doubled from 11 to 24 months (p.295 CFA1).

11. Construction works are to be executed less than 10 metres from our block ([12.4.86] CFA1). Silsoe House will also be affected by dust, vibration, poor ventilation, air pollution, loss of safe access routes, loss of amenity and daylight, visual impact, rodent infestation, anti-social behaviour, lack of security, construction traffic, bridge closures, and congestion on the roads which will remain open.

12. One of our lessees has already sold their flats in the belief that their lives will be blighted by the construction works. The desired outcome of your petitions is to secure a package of mitigation measures to enable our residents to survive a unique period of disruption. Where the adverse effects cannot be mitigated, compensation must be offered.

Our Appearance before the House of Commons Select Committee

13. We asked the Promoter to fund an independent expert to agree a “noise insulation package” which is suitable having regard to the age, character and location of the flats at Silsoe House. The Promoter does not understand the lay-out of Silsoe House. There are extensive areas of glazing for which the standard secondary glazing would be suitable. Many of the flats at the rear of the block have roof terraces or living areas which look out to the front or sides of the block. The rear of the property is also susceptible to noise, as noise from the trains bounce back from the wall of the Regents Park Barracks which is situated behind Silsoe House. Such a noise insulation package would need to comply with the Noise
Insulation Regulations and the Housing Health and Safety Rating System. It would include both sound insulation and ventilation. This might include tertiary glazing. It must also be consistent with any security measures within the flats and especially it must not hinder residents exiting in an emergency such as a fire.

14. The Promoter has refused to engage with us on our “asks”. When we appeared before the Select Committee at 21.15 on 9 December, we did not know what flats would qualify for the noise insulation package that the Promoter had agreed with Camden Council, even though we were told that the utility diversion works (the diversion of a 42” water main) would start in July 2016\(^1\).

15. The Select Committee (at [236]) accepted our submission that the choice of sound insulation and other mitigation measures should be in sympathy with construction and architecture and take fair account of residents' views on what is visually acceptable. Specific reference was made of Silsoe House.

16. The Petitioner continues to refuse to engage with us on identifying what flats will qualify and the nature of the mitigation measures that will be offered. The consent of SHFL will be required for any works. SHFL will be anxious to ensure that the works will not have an adverse impact upon the value of its asset.

17. Many lessees at Silsoe House do not occupy their flats. Some are overseas investors. The process of agreeing an appropriate package between SHFL, the lessees and other residents (whether tenants or licensees) will take time. SHFL would wish to ensure that a common package of works is carried out throughout the block. Access will need to arrange. This will all take time.

18. The problem that your petitioners face is the Promoter considers it sufficient to negotiate with the London Borough of Camden (“Camden”), rather than individual home owners. It considers that it is sufficient to offer a standard package to all properties in Camden, rather than design a system appropriate to the age, character and location of specific properties. This is not acceptable. SHFL is about to embark upon a programme of external repairs and decorations. Implementing any acoustic insulation works into this programme is there extremely desirable.

19. On 7 April 2016, HS2 sent a standard letter to “occupiers” at Silsoe House asking recipients to register their interest in a standard package of works. Flats will qualify if they have a bedroom, dining room or living room window facing onto the Cutting or to either side. The point that we stressed to the Select Committee is that the construction of Silsoe House is much more complex than this.

20. Your petitioners still have no idea when the relevant works will commence. On 17 March 2016, HS2 Ltd's Senior Petitioner Manager provided a “key activities slide” indicating that utility diversion works would start in July 2016 (“Q3 2016”). Other petitioners in Euston have been told that no utility works will commence until after the Bill receives the Royal Assent.

\(^1\) Slide P11849.
21. On 23 March, Your Petitioners sought clarification. No response has been received. This is indicative of the disdain with which the Promoter has treated your Petitioners.

22. In the absence of any engagement from the promoter, we have no option but to petition Your Lordship's Committee. We ask the Committee to direct the Promoter to make a detailed response to our particular “asks” to save us having to appear before your Lordships.

Our “Asks”

The Comprehensive Development of the Station at Euston

23. No construction works will commence on the proposed HS2 station at Euston until the Promoter has obtained has obtained the necessary powers and funding for the comprehensive development of the station at Euston. A prerequisite to this is a comprehensive environmental statement and an acceptable timetable for the completion of the project. We are entitled to know the full impact on our lives of the full package of works. Any mitigation measures and compensation should reflect the full extent to which our lives and homes will be blighted.

Noise Insulation

24. No HS2 Works affecting Silsoe House will start until an appropriate noise insulation package has been put in place. At the Select Committee, the Promoter suggested that they could start the utility diversion works before noise insulation measures are put in place. This is unacceptable. The Promoter should not be permitted to benefit from their failure to put an appropriate insulation package in place.

25. The Promoter will engage with SHFL, Your Petitioners and the other lessees to agree a noise insulation package appropriate to the age, character and location of Silsoe House. A structured timetable should be agreed including (a) the appointment of an independent expert to assess what flats (and part of those flats) will qualify for sound insulation; (b) devising an appropriate package of works; (c) agreement on who will take the lead on implementing the works, whether it be the freeholder or the lessee; (d) the time required to ensure that the necessary consents are obtained and access is secured. SHFL and the lessees require HS2 Ltd to meet their reasonable costs in agreeing the appropriate package of works. All costs of the provision of noise insulation, making good, maintenance and running costs of the noise insulation package are to be borne by the Promoter (or their agent) for the duration of the relevant HS2 works. The costs of removal of the noise mitigation and making good where requested or required is to also to be borne by the Promoter (or their agent).

26. During the execution of the HS2 works, the Promoter will install noise monitoring equipment in agreed locations to ensure that the noise within the dwelling does not exceed the “noise trigger level”. Where the works exceed the noise trigger level" the Promoter will agree the provision of suitable alternative accommodation when any future such works are to be executed.
27. Where temporary accommodation is required, residents will be offered a cash alternative so that they can make their own arrangements. This should reflect the cost of securing suitable alternative accommodation at least to the same standard as that of their current accommodation.

The Victorian Parapet Wall

28. The Promoter will not demolish the Victorian retaining wall in front of Silsoe House. This is listed. It protects us from noise from the railway line and will provide certain protection from construction works executed from the Satellite Compound and within the Camden Cutting. We ask for an assurance that the retaining wall between Mornington Bridge and Granby Terrace will be retained and maintained in good structural order both during the construction works and after the completion of the works. The SES does not suggest that this section of the wall will be affected.

Surveys

29. Properties in Park Village East have been subjected to subsidence. The Promoter will arrange for an independent survey of Silsoe House prior to the execution of the HS2 works and upon completion of the same. This survey should relate not only to the structural stability of Silsoe House, but also the cleanliness of the brickwork. The Promoter will arrange further surveys upon the landlord notifying the Promoter of any suspected structural damage. The cost of any works necessary to make good any damage to Silsoe House will be borne by the Promoter (or their agent).

Access and Parking

30. The Promoter will ensure that access is maintained to Silsoe House and that the existing street parking provision for our residents as well as our integral garaging is maintained throughout the period of the proposed construction works.

Air Quality

31. Air Quality monitoring be agreed with SHFL which is to be funded, installed, maintained by the Promoter and the data made accessible to your Petitioners in real time, from 12 months before commencement and throughout the period of construction.

A Green Wall

32. We ask that a living green wall be established along the street side of the parapet wall at an optimum thickness and height to provide the most effective sound insulation to all residents, including those on the top two floors of Silsoe House and to protect residents of nearby flats at Richmond House and Augustus House on the Peabody Estate. The Promoter (or their agent) will maintain this green wall during the period of the HS2 works and will remove the same when the HS2 works are completed. At that stage, we ask that mature trees and a wide variety of bee attractants (flowering shrubs) be planted afresh the length of the parapet wall.
Compensation

33. The only compensation measure currently available to your Petitioners in the “Need to Sell Scheme. Fair compensation should be offered to reflect the supplementary schemes offered in rural areas. As the Select Committee noted at [237], the duration and the intensity of the construction works in Camden are “exceptional” and need “special treatment”. Your Petitioners are unable to adduce evidence that flats at Silsoe House have currently been blighted by HS2. However, properties will inevitably become blighted (as currently at the north end of Park Village East) when the construction works start. We support the compensation measures proposed by the HS2 Euston Action Group.

The Prayer

34. The petitioners therefore ask the House of Lords that they, or someone representing them, in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioners remain, etc

Robert Latham, the First Petitioner
Signed:
Signed

Robert Latham, the First Petitioner
Signed:

Vlaho Kojakovic, the Second Petitioner,
Signed:

[Blank space]

Anthony Lewis, the Third Petitioner
Signed:

Harvey Kutner, the Fourth Petitioner
Signed:

Hannah Connellan, the Fifth Petitioner
Signed:

[Blank space]

The Reverend William Whitcombe, the Sixth Petitioner
Signed:

[Blank space]

Silsoe House (Freehold) Limited, the Seventh Petitioner,
Signed: (Director)
To the House of Lords
Session 2015–16

PETITION against the

HIGH SPEED RAIL (LONDON – WEST MIDLAND) BILL

THE PETITION OF RT HON JEREMY WRIGHT QC MP

 Declares that:

1. The petitioner is specially and directly adversely affected by the whole Bill.

Your petitioner

2. The petitioner is the Member of Parliament for Kenilworth and Southam (hereinafter referred to as ‘the Petitioner’) and has a constituency office located within the area that will be affected by the Bill. The Petitioner holds regular surgeries which draw individuals from across Kenilworth and Southam to access the assistance and intervention of their elected Member of Parliament. The Petitioner also represents the views of the residents and businesses that are affected by the Bill and in particular those residents who are not able to petition themselves.

Your petitioner’s concerns

1. Your Petitioner is unjuriously affected by the scheduled works as the traffic congestion and road closures during the construction of the proposed train line in Kenilworth and Southam will hinder the Petitioner in meeting his commitments when he travels around the constituency; access will be difficult when crossing the constituency with delays as a result of diversions and closures.

2. The proposed railway line bisects the Petitioner’s constituency, entering at its south-eastern corner and leaving at its north-western. HS2 affects a large area in Kenilworth and Southam and is having a huge psychological effect on many of those the Petitioner represents who live in the path of the project. Consequently the Petitioner has been engaged with this project since it was first announced six years ago and dealing with HS2 casework has been a major undertaking. It has been an (almost) full-time job for a member of the Petitioner’s staff. This pressure on human resources is reflected along the full length of the proposed route and the Petitioner is aware of the considerable financial burden that is also being felt by the Petitioner’s local County Council and Parish Councils within the constituency. They are under pressure and Parish Councils in particular struggle to deal with the queries, complaints, comments and suggestions about HS2 from residents and businesses who are affected by the project.
3. The Petitioner requests that some mechanism be put in place by the Promoter to alleviate the burden on resources of local authorities, which would be welcomed by all concerned. The Petitioner is aware that the recovery of some costs is being sought by Warwickshire County Council which he supports, so that public money can be better spent elsewhere in his constituency on more worthy causes.

4. The Petitioner believes that better communication processes from the Promoter are vital. The Petitioner has raised his concerns about the Promoter's poor record on public engagement on several occasions including with the House of Commons HS2 Select Committee and it has been recognised there is work to be done in improving approaches and responses to the public. But it is still difficult to extract meaningful and detailed information from the Promoter about how the project will be implemented. There is a great deal of anger from people whose lives are affected by the proposed railway at the dismissive manner in which they feel they have been treated. For example, in the Parish of Stoneleigh where there is concern about the impact on the community more generally of mitigation agreed with other petitioners. Whilst it is absolutely right and proper the commercial interests of Stoneleigh Park are respected, a greater degree of transparency and more positive behaviour on the part of the Promoter to assure the community their concerns are being addressed would do much to alleviate the belief that the commercial interests of the Park outweigh those of the community.

5. In the period leading up to the construction phase, and then during the construction phase itself, it is going to be important that communication is effective and the channels of communication are trusted. There is a lot of work to be done to restore that trust and the Petitioner seeks assurance that better public engagement is a priority for the Promoter.

6. In this regard the Petitioner would support the establishment of an independent arbitration authority to resolve the inevitable disputes that will arise over the way in which the scheme is carried out as it develops further.

7. Your Petitioner is concerned about the impacts of the surface works and operation of the railway within the Kenilworth and Southam constituency. The construction and operation of HS2 will have significant and adverse effects on the social, environmental and economic cohesion of the communities through which HS2 passes and will seriously reduce the ability of residents to maintain the lifestyle they have chosen. HS2 Ltd needs to offer long term benefits to communities it has adversely affected. The Petitioner's constituents should look to the Community Environment Fund and be reassured the Fund presents a local resource to the benefit of those who have been forced to host this infrastructure. South Warwickshire is a predominantly rural and tranquil area and many of those who live close to the line are (if not already) in the process of selling their homes to the Promoter. Those who have moved from the area and left family homes have done so to avoid the disruption that will be caused during the construction phase and because of the impact the line will have on the landscape. There is great concern for communities where many have already left.
8. In areas, including but not exclusively in the Parish of Offchurch for example, where the height of the line is greater than originally announced and where major mitigation proposed by the community was rejected on cost grounds, the Petitioner believes it is incumbent on the Promoter to ensure that mitigation across the valley is as generous and as sympathetic to its setting as possible. Mitigation should fully appreciate the beauty of the local area and the track bed for example should be as low in the landscape as possible. It is not unreasonable to expect the Promoter to do its utmost to screen the line.

9. In areas where concerns about flooding have already been raised, including in Ladbroke which suffered flooding only recently, and in Kenilworth for example, it is incumbent on the Promoter to demonstrate their engagement on such issues with communities rather than expecting all of the work to be done by local residents. Again, we return to the issue of better communication.

10. The commercial centres of Southam and Kenilworth will be affected during the construction phase. The character of each will change in terms of community enjoyment and business operation. Road closures and diversions will have to be managed carefully to safeguard the local economy so as not to discourage constituents from going into the centres or to force businesses to relocate. The Petitioner is concerned the Promoter has yet to demonstrate how it will mitigate the potential downturn of business activity rates and the negative consequential effect this would have on local services. The reasonable expectation would be to see a significant increase in the value of the Business and Local Economy Fund to offset this inevitable loss.

11. The Petitioner believes the Parish of Burton Green continues to be significantly and adversely affected by the proposed railway line. The proposed route passes through the centre of the community and is having a negative effect on it. One quarter of the homes in the village are affected and at the time of writing, 20 properties have been sold to the Promoter.

12. The Petitioner believes a further extension to the cut and cover tunnel would be of huge benefit to the community and in particular to the home owners located along the route whose properties are so badly affected and who are still struggling to get proper compensation. An extension to the cut and cover tunnel would also be of benefit to the Promoter. The increase in the cost of extending the tunnel would be partially offset by a reduction in the cost of lower spoil movements and probable compensation claims.

13. An extended tunnel would also go some way to reducing the noise impact on the community and the properties in the immediate vicinity of the tunnel portals, as the train enters and exits the tunnel. The Petitioner requests that further noise modelling be carried out so the community can understand the effect the railway line will have. This modelling has been requested many times already and never
provided. Once again we return to the issue of communication and the poor and lacking provision of information.

Compensation:

14. Provision for compensation generally can be improved. The Petitioner is concerned that, particularly for those who live more than 120 metres from the line, obtaining proper compensation has been hindered by restrictive access criteria, by excessively onerous evidential requirements and by questionable property valuations.

15. The circumstances of those at or approaching retirement age are especially troubling. The Petitioner asks that this House review the operation of the Need to Sell Scheme and the merits of further improvements to it or replacement of it by a property bond scheme.

16. Your Petitioner has seen the petitions from the following organisations in Kenilworth and Southam and hopes these points will also be taken into account; Cubbington Parish Council, The Joint Parish Council for Eathorpe, Hunningham, Offchurch and Wappenbury, Priors Hardwick Action Group, Southam Area Action Group (SAAG), Stoneleigh Action Group (STAG) and Warwickshire County Council.

17. Your Petitioner has annexed his petitions that were submitted to the House of Commons HS2 Select Committee.

The prayer

18. The Petitioner therefore asks the House of Lords that he, in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Signed:

RT HON JEREMY WRIGHT QC MP

Date: 18/11/16
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF THE RT HON CAROLINE SPELMAN MP

Declares that:

1. The petitioner is specially and directly adversely affected by the whole Bill, in so far as it affects the Meriden constituency.

2. Your petitioner

Your petitioner is the Member of Parliament for Meriden.

Your petitioner is the elected representative of the Meriden constituency, and the job of the MP to represent those living in the constituency. In this case, this includes residents who are directly affected by the provisions in the Bill, and those who may not have been able to represent themselves to date.

Your petitioner has represented her constituents since the announcement of HS2. Your petitioner was granted locus in the House of Commons Select Committee, and requests that she is also heard by the Select Committee considering the Bill in the House of Lords.

3. Your petitioner’s concerns

3.1. The tunnel

Your petitioner objects to all adverse effects of the surface works, construction and operation of the railway within the Meriden constituency. Your petitioner’s concerns can be mitigated through an extension of the tunnel at Burton Green. Your petitioner specifically requests that on page 1, in clause 1, of the Bill the nominated undertaker shall not exercise powers granted under subsection (1) to construct a surface railway route between Burton Green, Warwickshire, and Mercote Hall Lane east of Hampton-in-Arden, Solihull. Your petitioner requests that any railway constructed as part of Phase One of High Speed 2 between Burton Green, Warwickshire, and Mercote Hall Lane east of Hampton-in-Arden, Solihull, shall be built as an extension to the tunnel at Burton Green.

3.2. Consultation of parish and town councils

Your petitioner requests that deemed planning permission on page 9, in clause 20,
subsection (1) of the Bill shall be made subject to the approval of the external appearance of the works by the relevant parish or town council. Specifically that the approval of the external appearance shall not be withheld unreasonably, and shall be determined by the relevant parish or town council within four weeks of the submission by the nominated undertaker of full details of the external appearance of the proposed works to the proper officer of the council.

3.3. Speed and noise limitation

Your petitioner has concerns regarding the predicted levels of noise caused by the operation of the railway and believes that train speed contingent on noise is an important factor that should be seriously considered. As it stands your petitioner is concerned that many of her constituents will be exposed to excessive noise, which may negatively affect their health and wellbeing. Your petitioner requests that no person shall drive or cause or permit any train to proceed at a speed greater than 300 km/h on track forming part of Phase One of High Speed 2 except to the extent that the maximum peak noise level arising from train passage, when measured according to a procedure defined by the Secretary of State [on the basis of representative train passages and locations], does not exceed 60dBA at any point further than 200 metres from the centre line of the railway.

If any person fails to comply with the requirements they shall be guilty of an offence. A person guilty of an offence shall be punishable on summary conviction by a fine not exceeding £20,000 and on conviction on indictment to a fine. Where an offence is committed by a body corporate is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or a person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

3.4. Diddington Lane

Your petitioner has concerns regarding the division of Diddington Lane which would be to the detriment of the local residence of the lane and is deeply unpopular. Your petitioner therefore requests that Diddington Lane (Work No. 3/15C) would not be divided commencing at a point 416 metres north of its junction with Meriden Road and terminating at a point 208 metres south-west of its junction with the A452 Kenilworth Road. Your petition requests that Work No. 3/15C on page 79 of the Bill be deleted.

3.5. Prohibition of entry of designated vehicles in designated areas

Your petitioner requests that no person shall drive or cause or permit a vehicle of a designated class to enter a designated area, where "designated class" and "designated area" are defined as below:
Designated area: The A452 road, Balsall Common, between its junction with Windmill Lane and the bridge over the Rugby and Birmingham railway
Designated class: A vehicle exceeding 8 tonnes

Designated area: Waste Lane, Balsall Common, between its junction with the A452 and the eastern junction with Old Waste Lane
Designated class: A vehicle exceeding 8 tonnes

Designated area: The Kenilworth Greenway
Designated class: Any vehicle except a vehicle crossing from one side of the designated area to a point immediately opposite.

If any person fails to comply with the requirements they shall be guilty of an offence. A person guilty of an offence shall be punishable on summary conviction by a fine not exceeding £20,000 and on conviction on indictment to a fine. Where an offence is committed by a body corporate is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or a person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

3.6. Transport networks integration

Your petitioner has concerns that Phase One of High Speed 2 is adequately integrated with existing road and rail networks and requests that a strategy to ensure this is endorsed. Your petitioner requests that within three months of the day on which this Act is passed, the Secretary of State must lay before Parliament a strategy setting out how Phase One of High Speed 2 is proposed to be integrated with existing transport networks (referred to in this section as "the HS2 Integration Strategy"). In particular, the HS2 Integration Strategy should include provisions in relation to:

(a) Proposed rail services using Phase One of High Speed 2 accessing destinations elsewhere, and the proposed frequency and speed of those services;
(b) Options for other passenger and freight rail services using Phase One of High Speed 2 infrastructure;
(c) Option for connections between rail services using Phase One of High Speed 2 and those on High Speed 1;
(d) Options for rail and road connections and services to stations on Phase One of High Speed 2; and
(e) Proposed enhancements to rail passenger and freight services on railway lines relieved by Phase One of High Speed 2.

The HS2 Integration Strategy should set out the social, economic and environmental
costs and benefits of the provisions mentioned and of any other provisions that the
strategy contains. The Secretary of State should keep the HS2 Integration Strategy
under regular review and lay before Parliament any revised or replacement version of
it. In preparing and keeping the HS2 Integration Strategy under review, the Secretary
of State should consult persons and bodies who appear to the Secretary of State to
have relevant functions, including any sub-national transport body established under
section 21 of the Cities and Devolution Act 2016, combined authority, integrated
transport authority and local authority.

3.7. Trees and ancient woodland

Your petitioner requests that the Promoter should make a binding commitment to
care and maintain the two million trees which will be planted, in order to fulfil their
aim of no net loss of biodiversity.

Your petitioner is a long-standing supporter of the Woodland Trust, and supports
their request that all further possible steps are taken to avoid the further loss of
ancient woodland which is an irreplaceable resource. Your petitioner asks that the
Promoter commits to maintaining their trees, and undertakes the Woodland Trust’s
request to implement a minimum planting ratio of 30:1.

3.8. Adjudicator

Your petitioner supports and agrees with the request of the Rt Hon Cheryl Gillan MP
who has been concerned for some time that there is no true independent oversight to
oversee the implementation of HS2, including construction.

Therefore, your petitioner requests that an independent regulatory body is set up by
the Promoter, and at the cost of the Promoter, to hold them to account in terms of
its promised mitigations and rate of construction progress. The Construction
Commissioner/Complaints Commissioner proposed by the Promoter does not have
the remit or expertise to deal adequately with a project of this grand scale. The
provision of an independent body would allow a broad panel of experts to deal with
residents’ concerns without delay, and would ensure that the impacts set out in the
Environmental Statement are not exceeded.

As it stands, the Promoter and its contractors, whilst required to adopt measures to
reduce the adverse environmental effects reported in the Environmental Statement,
they only have to do so ‘provided that such measures are reasonably practicable’.
Your petitioner feels that these words do not ensure enforceability, and the only way
to do this is through an independent adjudicator.

Your petitioner has little confidence that the Promoter will deliver on its
responsibilities in a dutiful way. Owing to the Promoter’s proven track record of poor
communication, your petitioner asserts that the only way to proceed responsibly is by
the implementation of a truly independent body.
3.9. Blight and compensation

Your petitioner has concerns that there are still many cases of compensation schemes failing to work 'effectively and fairly' as the Commons Select Committee stated it should. Your petitioner is dissatisfied by the unsatisfactory implementation of the compensation schemes to date, and continues to represent residents of Meriden living in proximity to the line whose property values have been severely decimated. Your petitioner also feels that compensation should be available for those injuriously affected by the exercise of powers conferred by the Bill in relation to construction works. For the duration of the construction of the line, and possibly thereafter, both residential and commercial properties close to construction works and construction compounds are equally as blighted as those along the line of route.

4. The prayer

The petitioner therefore asks the House of Lords that she, or someone representing her, in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

The Rt Hon Caroline Spelman MP
Member of Parliament for Meriden

Date: 18 April 2016.
To the House of Lords

Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Methodist International Centre Limited (trading as "TheWesley") formally known as MIC Hotel & Conference Centre ("the Petitioner")

Declares that:

1 INTRODUCTION

1.1 The Petitioner is specially and directly adversely affected by powers proposed under the Bill to authorise construction of works at and in the vicinity of Euston Station, associated stopping up and diversion of public rights of way, and interference with utility services including powers within Clauses 1, 2, 3, 16, 17, 19, 33, 34, 36, 46 and 48 and related schedules.

1.2 The Petitioner is a member of the Stephenson Way/ Gordon Street Business Mitigation Group (formerly known as “the Stephenson Way Community Group”, the name under which petitions were lodged in the House of Commons and its members appeared before during Commons Committee Stages, and referred to in this petition as “Group”), whose collective petition has been lodged separately. The Petitioner shares the concerns expressed and supports the solutions sought in that petition. This petition repeats and elaborates upon certain of the concerns expressed in that petition so far as pertinent to the Petitioner and where appropriate identifies further specific solutions sought.

2 YOUR PETITIONER

2.1 Your Petitioner is Methodist International Centre Limited, a small independent 4 star hotel ("TheWesley"), which is a registered charity, based at 81–103 Euston Street, London NW1 2EZ. Within the Bill your Petitioner’s building has been referred to under the title, “TheWesley”. The building also has a further title: 1–6 Regnart Buildings.

2.2 Your Petitioner has owned and occupied the property at 81–103 Euston Street since early 1998.

2.3 TheWesley was originally established in 1950 as Methodist International House and is rich in heritage. It is the legacy of Hilda Porter, a Methodist missionary, who opened student hostels offering safe and hospitable accommodation for international students in Post-War Britain. Over the years it has supported and housed more than 10,000 students. Your Petitioner’s property relocated from Bayswater, West London, to Euston, Central London, in 1998, and changing its name to Methodist International Centre (better known as MIC Hotel & Conference Centre). Your Petitioner’s property was re-branded to "TheWesley" in May 2013 to reflect your Petitioner’s pride in its Christian and Methodist heritage, together with a passion for providing modern ethical hotel accommodation.

2.4 The business supports international and domestic students studying in London and overseas within a multi-cultural, multi-faith environment. Moreover, it holds the prestigious "Social Enterprise Mark", being the first social enterprise hotel to be
2.5 TheWesley is an ethical accommodation and conferencing centre which provides subsidised and excellent value accommodation / bedrooms for post-graduate students, university staff and affordable accommodation to hotel guests.

2.6 TheWesley supports the local community and people in employment and provides sustainable resources for the Methodist Church to be used for educational charitable purposes.

2.7 Your Petitioner’s property is the trading arm of the Methodist Church. It caters for both hotel guests and the educational market. Its activities include: (i) 100 guest & educational bedrooms that cater for both hotel guests and the educational market; (ii) a conference centre with fifteen meeting rooms, available for private use and public hire for large dinners and events such as weddings (as well as hosting Methodist Church meetings throughout the year); and (iii) a restaurant that is open to the public.

2.8 During 2014, TheWesley accommodated approximately 46,027 overnight guests at an occupancy rate of 97%. As a meeting space for hire, it catered for approximately 63,200 delegates during 2014. The property has both its main and staff entrances on Euston Street, and a rear entrance for the restaurant and the Services or "goods in" entrance towards Regnart Buildings.

2.9 Your Petitioner’s property, TheWesley, is the first ethical and sustainable London hotel of choice.

2.10 The demanding but highly rewarding rebranding of your Petitioner’s property was completed in 2012/13 financial year. This involved large scale renovation and refurbishment project was undertaken to tailor the building to its specific needs, the facilities of which have been highlighted in the paragraphs above. This work was funded by a commercial bank loan from HSBC Bank that is repayable over 15 years, as well as a huge capital expenditure of the Methodist Church funds.

2.11 More recently, your Petitioner has significantly upgraded its restaurant facilities, now rebranded as Savannah. The scale of expenditure has been significant; running to in excess of £1 million. It is hoped that this will reinforce the trading position of TheWesley and thus mitigate potential losses deriving from the effects of the HS2 scheme.

2.12 Your Petitioner’s property is located immediately adjacent to the HS2 construction site on both Euston Street and Regnart Buildings which is to be used for works to accommodate the high speed platforms and associated facilities for the HS2 station at Euston, including the construction of a deep ventilation shaft and escape stair for the Northern Line which would be located immediately to the east of your Petitioner’s property.

2.13 As mentioned above, your Petitioner is a member of the Stephenson Way/ Gordon Street Petitioner Group. The Group has had regular communication amongst its members and has been meeting as a group since 2013. The Group has been recognised by the Promoter as a business mitigation group whose concern is to ensure the ability of its members to continue to operate and maintain their charitable businesses and activities in the area whilst the HS2 construction works
are carried out. These works are of concern to the Group generally and to your Petitioner in particular not only in their own right but also in terms of their overlap and interface with works associated with other major projects which will be closely associated with HS2 at Euston such as Crossrail 2, Euston Station refurbishment and Euston Station Over-Site development.

2.14 Your Petitioner as a member of the Group has been constructive in its approach to negotiations with the Promoter and in its endeavours to arrive at workable solutions. Importantly, the Group has commissioned expert advice from leading acoustic and civil engineers with direct experience of the very largest deep excavation, rail and tunnelling projects in Central London to advise on likely construction effects of HS2 and constructive ways of avoiding and overcoming them. These advisers have been asked to advise on workable means of avoiding and minimising effects on the operations and premises of Group members by using industry standard construction techniques and precautions. Your Petitioner and other Group members and its advisers have endeavoured to engage with the Promoter so that these means can be incorporated into HS2 construction programmes and methodologies early enough for them not to impact on HS2 cost or programme.

2.15 During the two years while the Bill was in the first House, the Promoter was extremely slow to engage with your Petitioner and the Group and even then, engagement was superficial. As a consequence, it was necessary for your Petitioner and other members of the Group to appear before the Select Committee. The Select Committee recommended in paragraph 240 of its report:

"Stephenson Way and Drummond Street businesses and hotels

Businesses, hotels and professional and academic organisations in and around Stephenson Way will be severely affected by construction. They need proper notice of when works will commence so that they can organise their activities. We believe a minimum of three months' notice is appropriate—preferably more. The Promoter has agreed to establish a business mitigation user group to discuss problems and solutions. These will be helpful. We urge the Promoter to respond positively to the needs of petitioners from this area in the period between our report and the Lords select committee stage. The activities of several of the organisations we heard from are noise and/or vibration sensitive. We would like the Promoter to pay the reasonable costs of risk assessment and surveying to determine sensitivity to construction effects such as vibration."

2.16 Whilst discussions have taken place between your Petitioner and other Group members and the Promoter since the Select Committee reported in late February, and there are positive signs of greater cooperation, agreement has not yet been reached in relation to the protections sought by your Petitioner or the Group.

2.17 The slow progress to date in arriving at a satisfactory response to your Petitioner's concerns and a satisfactory framework for future working between your Petitioner other Group members and the Promoter and other participants in the redevelopment of Euston was noted during the Second Reading Debate in your Lordships' House. It was comforting to hear the Government spokesman during the debate comment that he hoped that the issues of the Group would be "addressed without much further recourse". Your Petitioner is, in common with other Group members, committed to working as positively as practicable with the Promoter to meet the concerns identified and hopes that this heralds a period of rapid and mutually satisfactory collaboration in finding and effecting solutions.
YOUR PETITIONER'S CONCERNS AND WHAT IT SEeks

3.1 General

3.1.1 Your Petitioner’s property is not intended to be demolished as a result of the Bill, but will be physically adjacent to, and connected into, the significant and hugely disruptive works proposed under the Scheme. In the Promoter’s main Environmental Statement CFA1 Report, Euston – Station and Approach under the title “Assessment of Impacts and Effects” (paragraph 10.4.5, p. 169) it is clearly stated that “The Wesley Hotel (previously known as the Methodist International Centre) on Euston Street may experience potentially significant noise and visual residual effects as a result of the proposed construction and demolition activities associated with the western expansion of Euston station. The sensitivity of this establishment is deemed to be high as users are considered to be susceptible to changes in amenity and the construction works may discourage guests. These incombination effects will occur over a period of two years and six months and given the high level of sensitivity, the Proposed Scheme is assessed to have a significant amenity effect on this business.” Your Petitioner’s ability to trade during the stated period or for a longer period is in doubt and your Petitioner requests that this should be compensated.

3.1.2 Your Petitioner faces actual and potential serious risks arising from the works to be carried out by the Promoter immediately adjacent to the property, including demolitions, excavations, foundations and construction activities for the station proposals including the proposed ventilation shaft. Your Petitioner also has reservations about (i) the anticipated levels of air pollution in and around Euston Street; (ii) the accessibility of its property during the now elongated construction period; and (iii) the potential impact of rising groundwater levels and increased flood risk arising from the HS2 works, including those set out in SES2.

3.1.3 The nature of the proposed works stands to cause unacceptable and direct disturbance resulting in the potential catastrophic loss of use and amenity of your Petitioner’s property during the demolition and construction phase. This disturbance and disruption will affect the operational viability of the hotel, particularly the ability to run the daily meetings, teachings and examinations for over 63,200 delegates per year along with the core function of The Wesley Hotel as “an oasis of calm in the busy city destination” for both hotel and education guests in addition to the ability to remain financially viable whilst The Wesley meets the repayments on the loan taken out to carry out the refurbishment works.

3.1.4 These issues are of very serious concern to your Petitioner, and to date the Promoter has failed to provide sufficient assurances that suitable mitigation or compensation will be put in place.

3.1.5 In the Promoter’s main Environmental Statement CFA1 Report, Euston – Station and Approach under the title “Summary of Likely Residual Significant Effects” (paragraph 10.4.38, p. 174) it is clearly stated that “The Proposed Scheme will require the demolition of eight significantly affected socio-economic resources. During construction customers may also be discouraged from using the Raj Café and Sandwich Bar on Eversholt Street, the Exmouth Arms on Starcross Street and The Wesley Hotel on Euston Street as they are expected to be affected by construction works associated with the western expansion of Euston station.” This is a clear indication that The Wesley will not be able to trade for a significant period. The Promoter has not engaged with your Petitioner to provide any relief or compensation. Having admitted that works under the Bill would disrupt the hotel’s trade, it is surprising that mitigation and compensation proposals have not been articulated to date.
3.1.6 The Wesley relies on the income from the letting of the conference centre, hotel & study bedrooms and event rooms to meet all of its financial obligations including the loan repayments for the improvement works to the hotel. Universities in London such as UCL, Regents, UCLH, City, Birkbeck as well as from other parts of the UK such as Manchester, Edge Hill, Salford use The Wesley for academic classes and examinations. Your Petitioner is concerned that the disruption to external client experiences will not only cause immediate ramifications in terms of financial loss but will also have a negative impact on the retention of existing and new client relationships resulting in a permanent loss of business. This will in turn immensely reduce the ability to continue with the immensely important charitable work which supports thousands of students worldwide.

3.2 Period and nature of the disturbance and disruption

3.2.1 Your Petitioner’s requirements as set out continuously and consistently over many months and contained within its petitions during Commons stages of the Bill articulated in Group correspondence with the Promoter have thus far not been met by commitments regarding meaningful mitigation and/or compensation. Your Petitioner is therefore being expected to tolerate the magnitude and significance of the environmental adverse impacts without adequate mitigation or economic compensation for loss or disturbance.

3.2.2 Your Petitioner is deeply concerned that, absent sufficient and effective impact avoidance and mitigation measures, it could face financial ruin and operational closure as a direct and sole result of the expected impacts arising from the HS2 Bill works.

3.2.3 Some of the elements of the proposed works to be undertaken for considerable lengths of time would appear to qualify as exemptions under the HS2 Code of Construction Practice for night-time working. Unrestricted times of permitted construction adjacent or close to your Petitioner’s property will lead to cancellation of conferences, room hires, societal events, museum/archive exhibitions, and educational programmes. The nature and characteristics of the activities undertaken in your Petitioner’s property require a distinctive and special approach from HS2 Ltd regarding mitigation, compensation and possibly relocation.

3.2.4 The Bill includes powers for the Secretary of State and the Nominated Undertaker to carry out construction works that are estimated to take at least fifteen years to complete, and will include lorry movements, service and utility diversions, road works, restricted access, demolitions, deep excavations, 24 hour working and major construction works immediately adjacent to your Petitioner’s property. This long-term, ongoing programme of works will create dust, poor air quality, noise and vibration that your Petitioner believes will cause unacceptable disturbance and disruption to the normal daily activities and events carried out in your Petitioner’s property.

3.2.5 Your Petitioner is particularly concerned that the Bill includes powers for the Secretary of State and the Nominated Undertaker to carry out construction works which are now estimated to take at least eighteen years to complete. In addition, it is probable that other as yet unspecified works will be carried out in the same area at the same time by way of construction of Crossrail 2, refurbishment of Euston overground station and oversite development at Euston Station.

3.2.6 The length and intensity of disruption and disturbance stands to be unprecedented would be unacceptable to your Petitioner, especially should sufficient impact avoidance, mitigation or and compensation arrangements be absent.
3.2.7 Your Petitioner asks that the Promoter be directed to the effect that:

(a) Regular frequent and effective liaison and engagement arrangements specific to your Petitioner through the medium of the Group are put in place from the outset and continue throughout the period of development at Euston;

(b) those arrangements should have particular objectives of:

(i) enabling works at Euston to be designed programmed and carried out (and ensuring that they are designed, programmed and carried out) in ways which build in impact avoidance, minimisation and mitigation measures appropriate to your Petitioner’s concerns from the outset;

(ii) ensuring that codes of construction practice and local environmental management plans and local traffic management measures put to the local planning authority reflect those principles from the outset;

(iii) enabling your Petitioner to be fully aware of programmes (and any necessary programme changes) for relevant works as far ahead as is practicable; and

(c) the liaison and engagement mechanisms include escalation and dispute resolution procedures to ensure mutually acceptable outcomes wherever practicable.

3.3 Noise, vibration, visual effects, light pollution, dust and atmospheric pollution

3.3.1 Your Petitioner’s property is located in close proximity to some or all of the following HS2 Work Sites and major works:

- Demolition of Wolfson House and the construction of a deep vent shaft, and escape stair for the Northern Line along with the construction of a new vent shaft building;

- Construction of the HS2 Station box with its very deep basement;

- Construction of the HS2 Station building;

- Works to Euston Square underground station;

- Diversion of the Fleet Sewer;

- Diversion of an existing 42 inch water main;

- Construction of a new subway under (and across the junction between) Melton Street, Gordon Street and Euston Road;

- Major utility works on Stephenson Way and Regnart Buildings;

- Work sites at Cobourg Street, Melton Street, Euston Square (East and West).
3.3.2 Unless carefully managed and modern best practice techniques are adopted taking specific account of your Petitioner’s particular operations, concerns and sensitivities, these works will have severe and avoidable noise, vibration, visual, amenity and atmospheric and light polluting effects on your Petitioner’s operations and their premises. Your Petitioner is concerned that, in any event, material damage may be occasioned to their premises, operations and property as a result of works at Euston.

3.3.3 Your Petitioner’s property has been identified as a sensitive receptor by the Promoter and as such will be subject to significant construction noise and vibration effects over a period of up to 7 months. Since the hotel has been identified as a sensitive receptor this appears to your Petitioner to indicate that your Petitioner’s property is set to experience noise levels higher than the noise insulation trigger levels as defined in the draft Code of Construction Practice. Your Petitioner is extremely concerned that the impact of this noise and vibration will cause such large-scale disruption to the hotel’s business that TheWesley will not be able to continue with its normal operations in its current property with the subsequent significant financial losses, loss of reputation and, not least, loss of local employment.

3.3.4 Your Petitioner is particularly concerned that TheWesley will be unable to offer its customers and visitors the benefit of enjoying its basic facility of calm and peaceful sleep for its overnight guests, as well as the daily meetings, teachings and examinations taking place within your Petitioner’s property. Most of these conferences are video-recorded and broadcast live internationally.

3.3.5 Intrusive construction lighting poses a particular cause for concern for your Petitioner, especially high-powered lighting, which your Petitioner imagines would be essential to out-of-hours construction work. This would prove problematic for guests staying on the premises within bedrooms facing the construction site. The AP3 fails to provide information on this and HS2 Ltd has failed to propose any adequate mitigation for this potentially serious impact.

3.3.6 Your Petitioner is wholly reliant on the daily sales of its bedrooms and meeting rooms which are likely to be catastrophically reduced by the effect of construction within the immediate environment of your Petitioner’s property. This is also true for corporate hires and private bookings, where customers pay to take over the building for special events. Your Petitioner considers that the daily noise and disturbance will cost the business its online reviews. Online negative visitor reviews recorded via the online booking and marketing channels will cost the reputation of the business which may take years to restore or become irrecoverable.

3.3.7 It is indicated in the Promoter’s environmental information in connection with the HS2 scheme that the “majority” of works are intended for the “core working hours” of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturday. Your Petitioner is concerned about disruption throughout the day during the core working hours. Moreover, the Promoter also clearly states that “the working hours at Euston will not be confined to the core hours”.

3.3.8 Your Petitioner understands that due to avoiding disruption to train services, extensive construction is due to take place on some occasions at weekends, bank holidays and at night. Consequently, paying guests of TheWesley will be disturbed throughout the night, causing lack of sleep and leading to claims for compensation. Guests are well within their rights to demand a refund if the promised service is not provided. The unrestricted times of permitted construction adjacent to your Petitioner’s property will lead to cancellations of hotel accommodation, conferences and room hires, events and educational programmes. In addition to this, loss of
custom will force your Petitioner to lower its rates which will in turn reduce your Petitioner's income. The lack of any material proposals from HS2 Ltd to deal with these issues and propose compensation to your Petitioner is unacceptable. Your Petitioner should not suffer as a result of the Bill proposals, and requests that adequate mitigation and compensation should be provided.

3.3.9 In order to assist in meeting the above concerns, your Petitioner asks the Committee to direct that wherever reasonably practicable, the Promoter will:

(a) phase works such as to minimise disruption to access to premises of your Petitioner and

(b) phase works to avoid noise and vibration during periods and activities at such premises which are sensitive to noise dust or vibration;

(c) avoid vibratory working methods or non-hydraulic driving of piles;

(d) shroud buildings being demolished such as to ensure so far as practicable that dust and noise are contained within the demolition site;

(e) use pipe-jacking rather than open trenching techniques wherever reasonably practicable;

(f) restrict works to normal working hours wherever practicable;

(g) store materials only within main work sites and not within the Melton Street or Cobourg Street compounds save such as are reasonably necessary for works underway and continuing on such sites;

(h) carry out subsurface works such as the Cobourg Street Vent shaft using “top down” techniques wherever practicable;

(i) use electrically powered plant and equipment in order to reduce on-site noise and air pollution;

(j) where works such as the Cobourg Street vent shaft are to be constructed within the footprint of any existing building, use the walls and roofs of existing structures as dust and noise screens wherever practicable;

(k) employ techniques such as clamping gels to reduce airborne dust at source;

(l) deploy techniques during construction and demolition for avoiding unnecessary noise dust or vibration in connection with those works to be carried out within 50 yards of any of your Petitioner’s property which are no less rigorous than those within industry recognised industry best practice codes of construction practice such as those required to be adopted by the City of London Corporation for works within the City of London and for the Thames Tideway Tunnel where works are proposed in close proximity to particularly sensitive uses and buildings.

3.3.10 Your Petitioner also asks that the Committee direct the Promoter to ensure, in collaboration with the Petitioner:

(a) that risk assessments are carried out;
(b) that the sensitivity of your Petitioner’s premises and activities is agreed in advance between your Petitioner and the Promoter,

(c) that pre-emptive avoidance and mitigation measures are put in place to address those sensitivities,

(d) that agreed forms of monitoring (with access to real time information for your Petitioner) are undertaken throughout works, and

(e) that trigger action plans are developed to ensure that if thresholds are likely to be passed or risks seem likely to be realised, a selection of appropriate pre-emptive and remedial actions agreed in advance can be taken.

3.3.11 Your Petitioner asks additionally that the Promoter be directed that appropriate steps agreed in advance should be taken to avoid material damage wherever practicable, to offset the risk of it happening and to ensure that, if it occurs, any such damage is made good and sufficient compensation is paid wherever it arises.

3.4 Programming and Notice

3.4.1 Your Petitioner’s operations are such that it programmes events at and makes bookings with third parties in relation to its premises many months, sometimes years in advance.

3.4.2 Over and above pre-emptive mitigation works and general control and management of impacts by the Promoter, it is essential that your Petitioner has extensive advance notice of when particularly noisy and disruptive activities in relation to HS2 are to take place. This will help enable your Petitioner’s activities to be programmed and for contingency measures, such as hiring alternative accommodation to be put in place as far in advance as possible.

3.4.3 Your Petitioner therefore asks that the Promoters be directed to give as much notice to the Petitioner as practicable of its programmes for relevant works in the vicinity of your Petitioner’s premises and in any event that for particularly noisy and disruptive activities minimum periods of notice are observed and that particularly sensitive periods notified in advance by your Petitioner be avoided.

3.5 Flood, Groundwater and Surface Water

3.5.1 Your Petitioner’s premises have a basement. This space performs functions essential to its operations and is used for storage, operational purposes and conference facilities. The basement area is, however, vulnerable to water ingress in consequence of HS2 works such as from changes in the groundwater regime, raised groundwater levels, increased in groundwater pressure, diverted groundwater flows and accidental escapes of water from water mains or sewers.

3.5.2 Your Petitioner’s property may also be vulnerable to changes in surface water runoff occasioned by construction of new structures and demolition of existing buildings as part of HS2 works.

3.5.3 Your Petitioner’s property is in an area of recognised flood risk and your Petitioner is concerned that this has not been adequately addressed in design and assessment of HS2 works.

3.5.4 Civil engineering advice given to your Petitioner and other members of the Group indicates that survey work undertaken by HS2 Ltd thus far is insufficient to support
conclusions arrived at to date and that more needs to be done. The advice highlights risks of diversion or backing up of groundwater in the direction of your Petitioner’s premises as a consequent of deep construction works authorised under the Bill and scope for adverse effects related both to temporary dewatering activities whilst construction works are undertaken and to allowing the groundwater table to recover after construction has taken place.

3.5.5 Until your Petitioner can be reassured that the Promoter has knowledge of all watercourses and other hydrology matters in the locality and has formulated a thorough and proactive strategy for ensuring that adverse effects are not suffered as a consequence of HS2 works, there can be no confidence that the HS2 proposals will not exacerbate the risk and potential for flooding and other water damage.

3.5.6 Your Petitioner therefore ask that the Promoter be directed:

(a) to carry out sufficient surveys and risk assessments;

(b) to ensure that appropriate protective works and measures in relation to your Petitioner’s premises are implemented in advance of works commencing; and

(c) to ensure that monitoring and trigger action plans agreed in advance with your Petitioner are put in place.

3.6 Access and servicing

3.6.1 Your Petitioner takes access from or along the following highways: Euston Road, Melton Street, Stephenson Way, Regnart Buildings, Euston Street and North Gower Street.

3.6.2 Pedestrian, vehicular, cycle and public transport access to premises occupied by your Petitioner will therefore be affected by:

- works to and temporary whole or partial closures of Stephenson Way, Euston Road, North Gower Street, Regnart Buildings, Melton Street and Euston Street;

- use of the above highways by construction traffic;

- diversion of traffic along many of the above highways.

3.6.3 The proposed "construction traffic route" shown in map CT-05-001 within the environmental information submitted by the Promoter, presents Euston Street, amongst others surrounding, as accommodating construction work. Your Petitioner has concerns about (i) increased congestion, noise and traffic pollution; (ii) access from Euston station to your Petitioner’s property; and (iii) easy access for emergency services is not only essential to those commuting via Euston station, but for employees, guests and visitors of TheWesley.

3.6.4 Your Petitioner is concerned that creating limited access will provide an increased risk to health and safety, giving concerns to those contemplating booking TheWesley and deterring many from doing so. As such, this is yet another cause for likely loss of trade. There is no mention by the Promoter of the number and type of vehicles using the Euston Street route. Pedestrian access to and from the station at all times throughout the construction period is essential, but no assurances have yet been given by the Promoter in this regard.
3.6.5 Your Petitioner has particular concerns about the ability to adequately access and service its premises while construction is underway. This applies particularly in relation to Stephenson Way, Regnart Buildings and Euston Street.

3.6.6 It is very important to your Petitioner that permeability in its locality is maintained. Convenient pedestrian access between their premises and Euston Station is essential at all times throughout construction period, as is adequate signposting and wayfaring information where existing lines of sight are interrupted or existing routes are diverted.

3.6.7 Your Petitioner asks that the Promoter be directed to ensure that:

(a) no interruption to access or servicing should occur to any premises of your Petitioner other than by agreement in advance;

(b) any interference with access or servicing is kept to a minimum at all times;

(c) wherever any routes providing access to your Petitioner's premises are diverted that appropriate and convenient alternative routes and clear and appropriate wayfaring information and signage are all provided;

(d) the principles along with measures agreed as part of liaison and engagement procedures identified above are all reflected in material submitted to the local planning authority and the local highway authority for approval under other procedures contemplated by the Bill;

(e) traffic displaced from Euston Road, Gower Street, Woburn Place, Gordon Street and/or Hampstead Road should not be directed along Endsleigh Gardens, Gower Place, North Gower Street, Euston Street, Regnart Buildings or Stephenson Way;

(f) construction vehicles will not use any of Stephenson Way, Euston Road, North Gower Street, Euston Street or Regnart Buildings other than for purposes limited to carrying out (and during) utility works within the boundaries of that particular road.

3.7 Utilities

3.7.1 The continuous availability of communications and utility services to your Petitioner's premises is of vital importance to the safe and reliable operation of TheWesley as a heavily used hotel, conference centre and provider of educational and examination facilities.

3.7.2 The Promoter proposes major utility works in the vicinity of your Petitioner's premises. These may be heavily noisy and disruptive in their own right and many may necessitate temporary disconnection of services whilst they are being carried out. Your Petitioner is concerned that the entirety of Euston Street has been badged "land potentially required during construction". Your Petitioner is concerned that: (i) there is no indication of time-scale within which utilities would be installed and relocated and precisely where the boundaries are set; and (ii) the noise from the movement of utilities has to be taken into consideration, as this will also greatly impact on the operation of TheWesley.

3.7.3 Unplanned interruption of services or in the case of certain critical services interruption without a substitute being available at all times could be severely damaging to your Petitioner's operations.
3.7.4 Your Petitioner therefore asks that the Committee direct the Promoter:

(a) that in relation to specified utility and communications services identified in advance, there should be no interruption (or reduction in capacity) unless supplies of at least equivalent capacity are first provided and commissioned;

(b) that in case of other utility and communications services, there should be no interruption or reduction in capacity other than at times notified and agreed in advance and any interruption or reduction should be kept to a minimum in timescale and quantum;

(c) utility works undertaken by persons other than the Promoter or nominated undertaker should be subject to the same considerations and constraints as works undertaken by the Promoter or nominated undertaker directly; and

(d) disruption associated with utility works should be kept to a minimum with trenchless/no dig techniques being used wherever practicable.

3.8 Parking

3.8.1 Your Petitioner's premises do not have facility for internal parking and rely on on-street parking spaces, particularly for blue badge users.

3.8.2 During the course of works many of these spaces stand to be lost temporarily or permanently. Your Petitioner therefore asks the Committee to direct the Promoter:

(a) to maintain the blue badge spaces serving its premises in either existing locations or alternative locations no less convenient to potential users (the blue badge spaces to be reinstated in their previous location following completion of Works in the vicinity of the relevant premises);

(b) to provide replacement on-street parking spaces in reasonably convenient locations; and

(c) to provide signage to indicate the location of any alternative or relocated parking spaces.

3.9 Vent shaft works and public realm

3.9.1 The proposed vent shaft at Cobourg Street will be in close proximity to your Petitioner's premises. Moreover, your Petitioner's premises will be close to work sites and/or overlook or have walls revealed where neighbouring buildings have been demolished.

3.9.2 Your Petitioner is concerned that hoardings around work sites and construction compounds should be attractively designed as well as being effective for the purposes of noise and dust attenuation; and that walls exposed by demolition should be subject to suitable surface treatments to ensure that they are attractive, watertight and make a positive contribution to local amenity. Your Petitioner asks that the Committee give a direction to the Promoter to this effect.

3.9.3 Construction of the ventilation shaft serving Euston underground station, at the southern end of Cobourg Street, is proposed to reach an approximate and aesthetically displeasing height of 20m above ground level. Your Petitioner considers that this will have the following impacts among others:
(a) the size and purpose of such construction will detrimentally affect the panorama for guests staying at The Wesley, especially on the northern side of the property;

(b) as the construction of the ventilation shaft involves the housing of large, potentially noisy, fans within metres of your Petitioner's property, such installation will create significant noise and vibration both during the process of construction and also during its operational period. It is proposed to operate these fans intermittently in response to circumstances such as demands during congested running in the tunnels and emergency response.

(c) your Petitioner is concerned that nothing appears to have been put in place to control or reduce the effects of noise and vibration from the operation of fixed mechanical installations.

3.9.4 Your Petitioner is additionally concerned that the vent shaft at Cobourg Street in particular will not have an active street frontage and, as with many vent shafts in Central London, it will not contribute aesthetically to the local street scene either upon completion or over the passage of time. Your Petitioner is concerned that the vent shaft will become an isolated and unmaintained eyesore (as with many other vents shafts in London) and also that the noise and vibration emanating from the shaft will adversely impact the operation and use of adjacent buildings.

3.9.5 Your Petitioner therefore requests the Committee to direct the Promoter, in relation to the Cobourg Street vent shaft:

(a) to promote an attractively designed building to house it;

(b) to ensure that equipment within the building is designed and specified such as not to generate noise or vibration beyond levels agreed with your Petitioner in advance and pitched such as to avoid disturbance to your Petitioner's hotel and conference centre operation;

(c) to ensure that such building contains and attenuates noise and vibration emanating from within to an acceptable level (pitched such as to avoid disturbance to your Petitioner's hotel and conference centre operation) to be specified in advance; and

(d) to consult your Petitioner as to the design of that building before designs are finalised, in sufficient time for them to be influenced and well in advance of applications being prepared and submitted to the local planning authority.

3.10 Crane Oversailing

3.10.1 Your Petitioner is concerned that the Bill includes powers authorising the Promoter to oversail premises with tower cranes; that such oversail may carry risk to premises unless closely controlled; that any crane erected may if it collapses cause damage to nearby premises and that the safety measures employed in connection with the erection and operation of any crane may not meet the industry standards insisted upon when rail undertakers premises are close to the erection or operation of cranes in connection with mainstream development.

3.10.2 Your Petitioner therefore asks the Committee to direct the Promoter that any crane oversailing of premises close to your Petitioner's property:
(a) shall only be permitted if carried out in conformity with:

(i) British Standard BS 7121 Code of Practice for Safe Use of Cranes;

(ii) terms equivalent to those applied by Network Rail wherever operational land other than a permanent way is to be oversailed;

(b) shall be subject to comprehensive indemnities in favour of your Petitioner if its premises, even if not directly oversailed by any jib or cargo swing, are within the zone within which any part of the crane or its structure might collapse.

(c) shall be restricted to purposes exclusively for the construction of the HS2 station box and the Cobourg Street vent shaft and shall explicitly not extend to construction under any other power or planning permission.

3.11 Shortcomings of the Compensation regime under the Bill

3.11.1 The statutory compensation code compensates for the loss of property, not for loss of profits or damage caused to a business. When property is acquired compulsorily, the code provides compensation for property owners who are displaced. Where, as would be the case with your Petitioner, none of its land would be taken, the position is different. The only compensation ordinarily payable comes after completion of the works - and then only in respect of some aspects of the operation of the works, not their construction. Paradoxically, therefore, greater loss would be suffered by being adjacent to works but retaining one's land than by being in the way of works and having the land acquired. Your Petitioner stands particularly to suffer in this regard.

3.11.2 The loss suffered by TheWesley is, for reasons articulated earlier, likely to be particularly acute. It is vitally important for guests and visitors to have a good experience of their use of TheWesley and its facilities. Heavy construction activities next to and around TheWesley stand to cause loss of sleep in hotel rooms, bad operating conditions in function rooms and general loss of the high standard of amenity that TheWesley has sought to create. Should this occur, then TheWesley stands to lose bookings even from regular customers. The effect of internet sites carrying reviews of accommodation, such as TripAdvisor, is likely to compound this effect so far as new users of accommodation are concerned. TheWesley has invested heavily in the Euston area and has made a positive contribution to its overall offering.

3.11.3 The lack of any material proposals from the Promoter to deal with this issue is unacceptable, and if left unresolved, will lead to problems of a national scale and undermine the principle that no business should suffer because of the Bill proposals, but rather that adequate mitigation and compensation should be available under such exceptional circumstances.

3.11.4 If adequate mitigation does not prove possible, if the Promoter will not agree to provide it, or if it proves ineffective, compensation should be provided. The significance of the activities of your Petitioner is such that it would be against the public interest for your Petitioner to suffer uncompensated loss in consequence of the HS2 works.

3.11.5 The Committee is therefore asked to direct that the compensation regime under the Bill be amended accordingly. A solution which would go some way towards meeting the concern would be, as put to the Commons Select Committee in relation to the Bill, that a provision be included in the Bill that section 10 of the
Compulsory Purchase Act 1965 should apply for the Petitioner (or should the Committee determine) in the Euston CPA or generally, where there is injurious affection of an interest in land directly attributable to the carrying out of the works authorised by or directly connected with the Bill.

3.12 Burden of increased costs including maintenance, insurance and professional fees associated with HS2 and engagement processes

3.12.1 Your Petitioner is concerned that the general maintenance and insurance costs of its property (including buildings and contents) will increase significantly for the duration of the HS2 works, without proper or adequate compensation. It will also individually and as a member of the Group have to incur costs of professional advice, e.g. as to party wall issues, threats to the fabric and contents of the building, dust control, asset protection and other issues which arise in the course of the now extended period over which HS2 and associated works are contemplated.

3.12.2 These costs are all likely to be significant, an additional overhead for your Petitioner to bear and will divert funds from being applied to your Petitioner’s charitable objects.

3.12.3 Your Petitioner therefore asks that the Committee direct the Promoter to reimburse your Petitioner in respect of all such costs.

4 THE PRAYER

The Petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioner remains, etc.

Berwin Leighton Paisner LLP

18 April 2016
To the House of Lords
Session 2015–16

PETITION against the
High Speed Rail (London – West Midlands) Bill

THE PETITION OF The Royal College of Ophthalmologists ("the Petitioner")

Declares that:

1. INTRODUCTION

1.1 The Petitioner is specially and directly adversely affected by powers proposed under the Bill to authorise construction of works at and in the vicinity of Euston Station, associated stopping up and diversion of public rights of way, and interference with utility services including powers within Clauses 1, 2, 3, 16, 17, 19, 33, 34, 36, 46 and 48 and related schedules.

1.2 The Petitioner is a member of the Stephenson Way/Gordon Street Business Mitigation Group (formerly known as "the Stephenson Way Community Group", the name under which petitions were lodged in the House of Commons and its members appeared before during Commons Committee Stages, and referred to in this petition as "Group"), whose collective petition has been lodged separately. The Petitioner shares the concerns expressed and supports the solutions sought in that petition. This petition repeats and elaborates upon certain of the concerns expressed in that petition so far as pertinent to the Petitioner and where appropriate identifies further specific solutions sought.

2. YOUR PETITIONER

2.1 Your Petitioner is The Royal College of Ophthalmologists ("The College") of 18 to 20 Stephenson Way, London NW1 2HD. The property, which is owned on an unencumbered freehold basis, has its main entrance on Stephenson Way and a rear entrance onto Regnart Buildings, which is in turn accessed from Euston Street.

2.2 The Royal College of Ophthalmologists is the professional body for eye doctors. It was created from the Ophthalmological Society of the United Kingdom and the Faculty of Ophthalmologists (formerly part of the Royal College of Surgeons of England), receiving its Royal Charter in 1988. The Royal Charter requires The College to advance the science and practice of ophthalmology; to educate medical practitioners in the science and practice of ophthalmology; to maintain proper standards in the practice of ophthalmology for the benefit of the public; to promote study and research in ophthalmology and related subjects and to publish the useful results of such study and research; to carry out further instruction and training in ophthalmology both in the United Kingdom and overseas; and to educate the general public in all matters relating to vision and the health of the human eye.

2.3 The College champions excellence in the practice of ophthalmology for the benefit of patients and the public. It sets the examinations and the curriculum for medical graduates who wish to be eye surgeons, and provides required surgical skills training, some of which is undertaken within The College's building. The College's continuing professional development programme is designed to help ophthalmologists maintain and increase their knowledge and expertise. The College
organises a seminar programme, an annual scientific congress and produces a scientific journal, 'Eye'.

2.4 Your Petitioner’s property has been planned to be a centre of excellence for training, development and education in the field of ophthalmology having a state-of-the-art microsurgical skills centre, fully-equipped teaching and lecturing spaces which benefit ophthalmologists in the United Kingdom and overseas. All students seeking to become eye surgeons are required to undergo the Basic Microsurgical Skills course within the surgical skills centre (the only one of its type in the United Kingdom). There are no other replicable facilities within the United Kingdom.

2.5 Your Petitioner’s property was acquired on 27th September 2012 before the route of the proposed High Speed railway was confirmed, being relocated into the property at 18-20 Stephenson Way from its former Headquarters in Cornwall Terrace, London NW1 4QW. Your Petitioner, which is a registered charity, owns no other property.

2.6 The property at Stephenson Way accommodates all the functions of The College which include the specialised surgical skills centre; teaching and examination space; conferencing space; administrative offices; and meeting rooms for Council members, staff and visitors.

2.7 Both Stephenson Way and Euston Street have been identified by the Promoter as Construction Traffic Routes and are also to be the subject of utility diversion works along with Regnart Buildings. Your Petitioner’s property at Stephenson Way is located within twenty-five metres of the HS2 construction site for works to accommodate the high speed platforms and associated facilities for the HS2 station at Euston. These works now include the proposed new Cobourg Street Satellite Compound at the northern end of Stephenson Way.

2.8 Your Petitioner’s property will not be demolished as a result of works proposed under the Bill, but will be in very close proximity to, and impacted by, significant works and the construction access proposed under the HS2 Scheme. These works and activities will cause unacceptable and direct disturbance and potential loss of use and amenity of your Petitioner’s property during construction of the Scheme, thus affecting the operational viability of the building and, in turn, The College’s finances and its ability to deliver the requirements of its Royal Charter.

2.9 As mentioned above, your Petitioner is a member of the Stephenson Way/ Gordon Street Petitioner Group. The Group has had regular communication amongst its members and has been meeting as a group since 2013. The Group has been recognised by the Promoter as a business mitigation group whose concern is to ensure the ability of its members to continue to operate and maintain their charitable businesses and activities in the area whilst the HS2 construction works are carried out. These works are of concern to the Group generally and to your Petitioner in particular not only in their own right but also in terms of their overlap and interface with works associated with other major projects which will be closely associated with HS2 at Euston such as Crossrail 2, Euston Station refurbishment and Euston Station Over-Site development.

2.10 Your Petitioner as a member of the Group has been constructive in its approach to negotiations with the Promoter and in its endeavours to arrive at workable solutions. Importantly, the Group has commissioned expert advice from leading acoustic and civil engineers with direct experience of the very largest deep excavation, rail and tunnelling projects in Central London to advise on likely construction effects of HS2 and constructive ways of avoiding and overcoming them. These advisers have been asked to advise on workable means of avoiding
and minimising effects on the operations and premises of Group members by using industry standard construction techniques and precautions. Your Petitioner and other Group members and its advisers have endeavoured to engage with the Promoter so that these means can be incorporated into HS2 construction programmes and methodologies early enough for them not to impact on HS2 cost or programme.

2.11 During the two years while the Bill was in the first House, the Promoter was extremely slow to engage with your Petitioner and the Group and even then, engagement was superficial. As a consequence, it was necessary for your Petitioner and other members of the Group to appear before the Select Committee. The Select Committee recommended in paragraph 240 of its report:

"Stephenson Way and Drummond Street businesses and hotels

Businesses, hotels and professional and academic organisations in and around Stephenson Way will be severely affected by construction. They need proper notice of when works will commence so that they can organise their activities. We believe a minimum of three months’ notice is appropriate—preferably more. The Promoter has agreed to establish a business mitigation user group to discuss problems and solutions. These will be helpful. We urge the Promoter to respond positively to the needs of petitioners from this area in the period between our report and the Lords select committee stage. The activities of several of the organisations we heard from are noise and/or vibration sensitive. We would like the Promoter to pay the reasonable costs of risk assessment and surveying to determine sensitivity to construction effects such as vibration."

2.12 Whilst discussions have taken place between your Petitioner and other Group members and the Promoter since the Select Committee reported in late February, and there are positive signs of greater cooperation, agreement has not yet been reached in relation to the protections sought by your Petitioner or the Group.

2.13 The slow progress to date in arriving at a satisfactory response to your Petitioner’s concerns and a satisfactory framework for future working between your Petitioner other Group members and the Promoter and other participants in the redevelopment of Euston was noted during the Second Reading Debate in your Lordships’ House. It was comforting to hear the Government spokesman during the debate comment that he hoped that the issues of the Group would be “addressed without much further recourse”. Your Petitioner is, in common with other Group members, committed to working as positively as practicable with the Promoter to meet the concerns identified and hopes that this heralds a period of rapid and mutually satisfactory collaboration in finding and effecting solutions.

3 YOUR PETITIONER’S CONCERNS AND WHAT IT SEeks

3.1 General

3.2 Period and nature of the disturbance and disruption

3.2.1 Your Petitioner’s requirements as set out continuously and consistently over many months and contained within its petitions during Commons stages of the Bill articulated in Group correspondence with the Promoter have thus far not been met by commitments regarding meaningful mitigation and/or compensation. Your Petitioner is therefore being expected to tolerate the magnitude and significance of the environmental adverse impacts without adequate mitigation or economic compensation for loss or disturbance.
3.2.2 Your Petitioner is deeply concerned that, absent sufficient and effective impact avoidance and mitigation measures, it could face financial difficulty and operational closure as a direct and sole result of the expected impacts arising from the HS2 Bill works.

3.2.3 Some of the elements of the proposed works to be undertaken for considerable lengths of time would appear to qualify as exemptions under the HS2 Code of Construction Practice for night-time working. Unrestricted times of permitted construction adjacent or close to your Petitioner’s property will lead to cancellation of conferences, room hires, societal events, museum/archive exhibitions, and educational programmes. The nature and characteristics of the activities undertaken in your Petitioner’s property require a distinctive and special approach from HS2 Ltd regarding mitigation, compensation and possibly relocation.

3.2.4 Your Petitioner is particularly concerned that the Bill includes powers for the Secretary of State and the Nominated Undertaker to carry out construction works which are now estimated to take at least eighteen years to complete. In addition, it is probable that other as yet unspecified works will be carried out in the same area at the same time by way of construction of Crossrail 2, refurbishment of Euston overground station and oversite development at Euston Station.

3.2.5 The length and intensity of disruption and disturbance stands to be unprecedented would be unacceptable to your Petitioner, especially should sufficient impact avoidance, mitigation or/and compensation arrangements be absent.

3.2.6 Your Petitioner asks that the Promoter be directed to the effect that:

(a) Regular frequent and effective liaison and engagement arrangements specific to your Petitioner through the medium of the Group are put in place from the outset and continue throughout the period of development at Euston;

(b) those arrangements should have particular objectives of:

(i) enabling works at Euston to be designed programmed and carried out (and ensuring that they are designed, programmed and carried out) in ways which build in impact avoidance, minimisation and mitigation measures appropriate to your Petitioner’s concerns from the outset;

(ii) ensuring that codes of construction practice and local environmental management plans and local traffic management measures put to the local planning authority reflect those principles from the outset;

(iii) enabling your Petitioner to be fully aware of programmes (and any necessary programme changes) for relevant works as far ahead as is practicable; and

(c) the liaison and engagement mechanisms include escalation and dispute resolution procedures to ensure mutually acceptable outcomes wherever practicable.

3.3 Noise, vibration, visual effects, light pollution, dust and atmospheric pollution

RCOphth HL Petition 4 18 April 2016
3.3.1 Your Petitioner’s property is located in close proximity to some or all of the following HS2 Work Sites and major works:

- Demolition of Wolfson House and the construction of a deep vent shaft, and escape stair for the Northern Line along with the construction of a new vent shaft building;
- Construction of the HS2 Station box with its very deep basement;
- Construction of the HS2 Station building;
- Works to Euston Square underground station;
- Diversion of the Fleet Sewer;
- Diversion of an existing 42 inch water main;
- Construction of a new subway under (and across the junction between) Melton Street, Gordon Street and Euston Road;
- Major utility works on Stephenson Way and Regnart Buildings;
- Work sites at Cobourg Street, Melton Street, Euston Square (East and West).

3.3.2 Unless carefully managed and modern best practice techniques are adopted taking specific account of your Petitioner’s particular operations, concerns and sensitivities, these works will have severe and avoidable noise, vibration, visual, amenity and atmospheric and light polluting effects on your Petitioner’s operations and their premises. Your Petitioner is concerned that, in any event, material damage may be occasioned to their premises, operations and property as a result of works at Euston.

3.3.3 Apart from a further deterioration in air quality experienced by staff and visitors alike, the works stand to create dust, noise, and, more especially, potentially damaging vibration to the proper operation of extremely sensitive medical equipment within the surgical skills centre. Your Petitioner is particularly concerned about the impact on operations which occur during regularly planned examination and teaching of ophthalmologists and ophthalmology trainees during certain demolition and construction activities. Such disruption through unwanted additional vibration could render your Petitioner’s essential microsurgical skills training programmes inoperable. Due to the nature and specification of the skills centre, The College has no alternative facilities available to it should the disturbance from HS2 demolition and construction activities render its teaching and examination functions unusable. Your Petitioner considers that its building in Stephenson Way is an especially sensitive receptor for which special mitigation measures should be available to your Petitioner, so as to enable The College to adequately discharge its responsibilities under its Royal Charter.

3.3.4 In order to assist in meeting the above concerns, your Petitioner asks the Committee to direct that wherever reasonably practicable, the Promoter will:

(a) phase works such as to minimise disruption to access to premises of your Petitioner;

(b) phase works to avoid noise and vibration during periods and activities at such premises which are sensitive to noise dust or vibration;
(c) avoid vibratory working methods or non-hydraulic driving of piles;

(d) shroud buildings being demolished such as to ensure so far as practicable that dust and noise are contained within the demolition site;

(e) use pipe-jacking rather than open trenching techniques wherever reasonably practicable;

(f) restrict works to normal working hours wherever practicable;

(g) store materials only within main work sites and not within the Melton Street or Cobourg Street compounds save such as are reasonably necessary for works underway and continuing on such sites;

(h) carry out subsurface works such as the Cobourg Street Vent shaft using “top down” techniques wherever practicable;

(i) use electrically powered plant and equipment in order to reduce on-site noise and air pollution;

(j) where works such as the Cobourg Street vent shaft are to be constructed within the footprint of any existing building, use the walls and roofs of existing structures as dust and noise screens wherever practicable;

(k) employ techniques such as clamping gels to reduce airborne dust at source;

(l) deploy techniques during construction and demolition for avoiding unnecessary noise dust or vibration in connection with those works to be carried out within 50 yards of any of your Petitioner’s property which are no less rigorous than those within industry recognised industry best practice codes of construction practice such as those required to be adopted by the City of London Corporation for works within the City of London and for the Thames Tideway Tunnel where works are proposed in close proximity to particularly sensitive uses and buildings.

3.3.5 Your Petitioner also asks that the Committee direct the Promoter to ensure, in collaboration with the Petitioner:

(a) that risk assessments are carried out,

(b) that the sensitivity of your Petitioner’s premises and activities is agreed in advance between your Petitioner and the Promoter,

(c) that pre-emptive avoidance and mitigation measures are put in place to address those sensitivities,

(d) that agreed forms of monitoring (with access to real time information for your Petitioner) are undertaken throughout works, and

(e) that trigger action plans are developed to ensure that if thresholds are likely to be passed or risks seem likely to be realised, a selection of appropriate pre-emptive and remedial actions agreed in advance can be taken.

3.3.6 Your Petitioner asks additionally that the Promoter be directed that appropriate steps agreed in advance should be taken to avoid material damage wherever
practicable, to offset the risk of it happening and to ensure that, if it occurs, any such damage is made good and sufficient compensation is paid wherever it arises.

3.4 Programming and Notice

3.4.1 Your Petitioner’s operations are such that it programmes examinations at intensive study courses at and makes bookings with third parties in relation to its premises many months, sometimes years in advance.

3.4.2 Over and above pre-emptive mitigation works and general control and management of impacts by the Promoter, it is essential that your Petitioner has extensive advance notice of when particularly noisy and disruptive activities in relation to HS2 are to take place. This will help enable your Petitioner’s activities to be programmed and for contingency measures, such as hiring alternative accommodation to be put in place as far in advance as possible.

3.4.3 Your Petitioner therefore asks that the Promoters be directed to give as much notice to the Petitioner as practicable of its programmes for relevant works in the vicinity of your Petitioner’s premises and in any event that for particularly noisy and disruptive activities minimum periods of notice are observed and that particularly sensitive periods notified in advance by your Petitioner are avoided.

3.5 Flood, Groundwater and Surface Water

3.5.1 Your Petitioner’s premises have a basement. This space performs functions essential to its operations and is used to store important and valuable equipment, materials and artefacts. The basement area is, however, vulnerable to water ingress in consequence of HS2 works such as from changes in the groundwater regime, raised groundwater levels, increased in groundwater pressure, diverted groundwater flows and accidental escapes of water from water mains or sewers.

3.5.2 Your Petitioner’s property may also be vulnerable to changes in surface water run off occasioned by construction of new structures and demolition of existing buildings as part of HS2 works.

3.5.3 Your Petitioner’s property is in an area of recognised flood risk and your Petitioner is concerned that this has not been adequately addressed in design and assessment of HS2 works.

3.5.4 Civil engineering advice given to your Petitioner and other members of the Group indicates that survey work undertaken by HS2 Ltd thus far is insufficient to support conclusions arrived at to date and that more needs to be done. The advice highlights risks of diversion or backing up of groundwater in the direction of your Petitioner’s premises as a consequent of deep construction works authorised under the Bill and scope for adverse effects related both to temporary dewatering activities whilst construction works are undertaken and to allowing the groundwater table to recover after construction has taken place.

3.5.5 Until your Petitioner can be reassured that the Promoter has knowledge of all watercourses and other hydrology matters in the locality and has formulated a thorough and proactive strategy for ensuring that adverse effects are not suffered as a consequence of HS2 works, there can be no confidence that the HS2 proposals will not exacerbate the risk and potential for flooding and other water damage.

3.5.6 Your Petitioner therefore ask that the Promoter be directed:
(a) to carry out sufficient surveys and risk assessments;

(b) to ensure that appropriate protective works and measures in relation to your Petitioner’s premises are implemented in advance of works commencing; and

(c) to ensure that monitoring and trigger action plans agreed in advance with your Petitioner are put in place.

3.6 Access and servicing

3.6.1 Your Petitioner takes access from or along the following highways: Euston Road, Melton Street, Stephenson Way, Regnart Buildings, Euston Street and North Gower Street.

3.6.2 Pedestrian, vehicular, cycle and public transport access to premises occupied by your Petitioner will therefore be affected by:

- works to and temporary whole or partial closures of Stephenson Way, Euston Road, North Gower Street, Regnart Buildings, Melton Street and Euston Street;
- use of the above highways by construction traffic; and
- diversion of traffic along many of the above highways;

3.6.3 Your Petitioner has particular concerns about the ability to adequately access and service its premises while construction is underway. This applies particularly in relation to Stephenson Way, Regnart Buildings and Euston Street. In an acute example, the ability of vehicles to safely enter and leave Stephenson Way in a forward gear, is of particular concern given Stephenson Way’s narrowness, its use by large vehicles such as articulated lorries and coaches, potential conflicts between those vehicles and pedestrians, and the proposal to stop up its northern end. To date the Promoter has not suggested how these difficulties might be overcome. Neither a turning head for vehicles nor phasing of construction works to enable a one way through route at all times has been proposed.

3.6.4 It is very important to your Petitioner that permeability in its locality is maintained. Convenient pedestrian access between its premises and Euston Station is essential at all times throughout construction period, as is adequate signposting and wayfaring information where existing lines of sight are interrupted or existing routes are diverted.

3.6.5 Your Petitioner asks that the Promoter be directed to ensure that:

(a) no interruption to access or servicing should occur to any premises of your Petitioner other than by agreement in advance;

(b) any interference with access or servicing is kept to a minimum at all times;

(c) wherever any routes providing access to your Petitioner’s premises are diverted that appropriate and convenient alternative routes and clear and appropriate wayfaring information and signage are all provided;

(d) the principles along with measures agreed as part of liaison and engagement procedures identified above are all reflected in material
submitted to the local planning authority and the local highway authority for approval under other procedures contemplated by the Bill;

(e) traffic displaced from Euston Road, Gower Street, Woburn Place, Gordon Street and/or Hampstead Road should not be directed along North Gower Street, Euston Street, Regnart Buildings or Stephenson Way;

(f) construction vehicles will not use any of Stephenson Way, Euston Road, North Gower Street, Euston Street, Regnart Buildings other than for purposes limited to carrying out (and during) utility works within the boundaries of that particular road.

3.7 Utilities

3.7.1 The continuous availability of communications and utility services to your Petitioner’s premises is of vital importance to their being able to perform its functions, both as part of general activities and when their premises are subject to third party bookings, examinations, performances and public exhibitions.

3.7.2 The Promoter proposes major utility works in the vicinity of your Petitioner’s premises. These may be heavily noisy and disruptive in their own right and many may necessitate temporary disconnection of services whilst they are being carried out.

3.7.3 Unplanned interruption of services or in the case of certain critical services interruption without a substitute being available at all times could be severely damaging to your Petitioner’s operations.

3.7.4 Your Petitioner therefore asks that the Committee direct the Promoter:

(a) that in relation to specified utility and communications services identified in advance, there should be no interruption (or reduction in capacity) unless supplies of at least equivalent capacity are first provided and commissioned;

(b) that in case of other utility and communications services, there should be no interruption or reduction in capacity other than at times notified and agreed in advance and any interruption or reduction should be kept to a minimum in timescale and quantum;

(c) utility works undertaken by persons other than the Promoter or nominated undertaker should be subject to the same considerations and constraints as works undertaken by the Promoter or nominated undertaker directly; and

(d) disruption associated with utility works should be kept to a minimum with trenchless/ no dig techniques being used wherever practicable.

3.8 Parking

3.8.1 Your Petitioner’s premises do not have facility for internal parking and rely on on-street parking spaces, particularly for blue badge users.

3.8.2 During the course of works many of these spaces stand to be lost temporarily or permanently. Your Petitioner therefore asks the Committee to direct the Promoter:
(a) to maintain the blue badge spaces serving its premises in either existing locations or alternative locations no less convenient to potential users (the blue badge spaces to be reinstated in their previous location following completion of Works in the vicinity of the relevant premises);

(b) to provide replacement on-street parking spaces in reasonably convenient locations; and

(c) to provide signage to indicate the location of any alternative or relocated parking spaces.

3.9 Vent shaft works and public realm

3.9.1 The proposed vent shaft at Cobourg Street will be in close proximity to your Petitioner's premises. Moreover, your Petitioner's premises will be close to work sites and/or overlook or have walls revealed where neighbouring buildings have been demolished.

3.9.2 Your Petitioner is concerned that hoardings around work sites and construction compounds should be attractively designed as well as being effective for the purposes of noise and dust attenuation; and that walls exposed by demolition should be subject to suitable surface treatments to ensure that they are attractive, watertight and make a positive contribution to local amenity. Your Petitioner asks that the Committee give a direction to the Promoter to this effect.

3.9.3 Your Petitioner is concerned that the vent shaft at Cobourg Street in particular will not have an active street frontage and, as with many vent shafts in Central London, it will not contribute aesthetically to the local street scene either upon completion or over the passage of time. Your Petitioner is concerned that the vent shaft will become an isolated and unmaintained eyesore (as with many other vents shafts in London) and also that the noise and vibration emanating from the shaft will adversely impact the operation and use of adjacent buildings.

3.9.4 Your Petitioner therefore requests the Committee to direct the Promoter, in relation to the Cobourg Street vent shaft:

(a) to promote an attractively designed building to house it,

(b) to ensure that such building contains and attenuates noise and vibration emanating from within to an acceptable level to be specified in advance and

(c) to consult your Petitioner as to the design of that building before designs are finalised, in sufficient time for them to be influenced and well in advance of applications being prepared and submitted to the local planning authority.

3.10 Crane Oversailing

3.10.1 Your Petitioner is concerned that the Bill includes powers authorising the Promoter to oversail premises with tower cranes; that such oversail may carry risk to premises unless closely controlled; that any crane erected may if it collapses cause damage to nearby premises and that the safety measures employed in connection with the erection and operation of any crane may not meet the industry standards insisted upon when rail undertakers premises are close to the erection or operation of cranes in connection with mainstream development.
3.10.2 Your Petitioner therefore asks the Committee to direct the Promoter that any crane oversailing of premises close to your Petitioner's property:

(a) shall only be permitted if carried out in conformity with:

(i) British Standard BS 7121 Code of Practice for Safe Use of Cranes;
(ii) terms equivalent to those applied by Network Rail wherever operational land other than a permanent way is to be oversailed;

(b) shall be subject to comprehensive indemnities in favour of your Petitioner if its premises, even if not directly oversailed by any jib or cargo swing, are within the zone within which any part of the crane or its structure might collapse.

(c) shall be restricted to purposes exclusively for the construction of the HS2 station box and the Cobourg Street vent shaft and shall explicitly not extend to construction under any other power or planning permission.

3.11 **Shortcomings of the Compensation regime under the Bill**

3.11.1 The statutory compensation code compensates for the loss of property, not for loss of profits or damage caused to a business. When property is acquired compulsorily, the code provides compensation for property owners who are displaced. Where, as would be the case with your Petitioner, none of its land would be taken, the position is different. The only compensation ordinarily payable comes after completion of the works - and then only in respect of some aspects of the operation of the works, not their construction. Paradoxically, therefore, greater loss would be suffered by being adjacent to works but retaining one's land than by being in the way of works and having the land acquired.

3.11.2 The lack of any material proposals from the Promoter to deal with this issue is unacceptable, and if left unresolved, will lead to problems of a national scale and undermine the principle that no business should suffer because of the Bill proposals, but rather that adequate mitigation and compensation should be available under such exceptional circumstances.

3.11.3 If adequate mitigation does not prove possible, if HS2 will not agree to provide it, or if it proves ineffective, compensation in one form or another, e.g. monetary or temporary relocation, or a combination of both, should be provided. The significance of the activities of your Petitioner is such that it would be against the public interest for your Petitioner to suffer uncompensated loss in consequence of the HS2 works.

3.11.4 The Committee is therefore asked to direct that the compensation regime under the Bill be amended accordingly. A solution which would go some way towards meeting the concern would be, as put to the Commons Select Committee in relation to the Bill, that: a provision be included in the Bill that section 10 of the Compulsory Purchase Act 1965 should apply for the Petitioner (or (should the Committee determine) in the Euston CPA or generally), where there is injurious affection of an interest in land directly attributable to the carrying out of the works authorised by or directly connected with the Bill.
3.12 Burden of increased costs including maintenance, insurance and professional fees associated with HS2 and engagement processes

3.12.1 Your Petitioner is concerned that the general maintenance and insurance costs of its property (including buildings and contents) will increase significantly for the duration of the HS2 works, without proper or adequate compensation. It will also individually and as a member of the Group have to incur costs of professional advice, e.g. as to party wall issues, threats to the fabric and contents of the building, dust control, asset protection and other issues which arise in the course of the now extended period over which HS2 and associated works are contemplated.

3.12.2 These costs are all likely to be significant, an additional overhead for your Petitioner to bear and will divert funds from being applied to your Petitioner's charitable objects.

3.12.3 Your Petitioner therefore asks that the Committee direct the Promoter to reimburse your Petitioner's Group members in respect of all such costs.

4 The prayer

The Petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioner remains, etc.

Berwin Leighton Paisner LLP

18th April 2016
To the House of Lords

Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF The Royal Asiatic Society of Great Britain and Ireland ("the Petitioner")

 Declares that:

1 INTRODUCTION

1.1 The Petitioner is specially and directly adversely affected by powers proposed under the Bill to authorise construction of works at and in the vicinity of Euston Station, associated stopping up and diversion of public rights of way, and interference with utility services including powers within Clauses 1, 2, 3, 16, 17, 19, 33, 34, 36, 46 and 48 and related schedules.

1.2 The Petitioner is a member of the Stephenson Way/ Gordon Street Business Mitigation Group (formerly known as "the Stephenson Way Community Group", the name under which petitions were lodged in the House of Commons and its members appeared before during Commons Committee Stages, and referred to in this petition as "Group"), whose collective petition has been lodged separately. The Petitioner shares the concerns expressed and supports the solutions sought in that petition. This petition repeats and elaborates upon certain of the concerns expressed in that petition so far as pertinent to the Petitioner and where appropriate identifies further specific solutions sought.

2 YOUR PETITIONER

2.1 Your petitioner is The Royal Asiatic Society of Great Britain and Ireland (the Society).

2.2 Your petitioner, who is directly and specially affected by the HS2 works, owns a three-storey property as its headquarters which is located at 14-16 Stephenson Way, London NW1 2HD. The property also backs onto Regnart Buildings accessed from Euston Street which is also affected by the Scheme. The property has been owned on a freehold basis since September 2005, and was extensively refurbished for the specific use of the Society after purchase. Your petitioner, which is a registered charity, owns no other land or buildings.

2.3 The property at Stephenson Way accommodates all the functions of the Society in the United Kingdom and Ireland and houses a collection of global heritage importance which includes manuscripts, paintings and a library of historical importance. The building includes a climate controlled archive, reading room, lecture hall, library, administrative offices, and meeting rooms.

2.4 The Royal Asiatic Society was founded in 1823 by the eminent Sanskrit scholar, Henry Colebrooke, and received its Royal Charter from King George IV in 1824 for 'the investigation of subjects connected with and for the encouragement of science, literature and the arts in relation to Asia.' HRH Prince Charles, the Prince of Wales is the current patron of the Society.
2.5 The Society's invaluable and historically important collection reflects the relationship between Britain and Asia for the past 200 years, and is directly relevant to the vitality and diversity of Britain today and in the future. Currently, the building houses a collection of art works (approx. 2,100), books (60,000), manuscripts in Arabic, Persian, Urdu, Sanskrit, Pali, Hindi, Gujarati Javanese, Malay and Ottoman, (2,000), photographs (5,000), maps (500), and archives.

2.6 The collection contains many items that are priceless, irreplaceable and of great cultural significance; their loss or damage would be a tragedy both in national and international terms.

2.7 The Society has been a focus for research on Asia for two centuries and remains at the heart of interaction today. It attracts the curious and the seekers after heritage; it serves scholars, students, communicators, linguists and artists from all over the UK and the world.

2.8 The Society organises two lectures per month as part of its annual series, as well as several additional lectures and seminars, all open to the public, with an average attendance of 40-50 people on each occasion. In addition, the Society hosts regular visits by groups of students and other organisations.

2.9 The Society's library and collections attract scholars and researchers who access the material in the Reading Room and require an area for quiet study. The Society publishes a journal of international standing four times a year with Cambridge University Press, as well as books that make important contributions to scholarship.

2.10 The Society makes its holdings available for exhibitions nationally and internationally. Eight items were, for example, lent to the recent exhibition at the Tate Britain entitled 'Art and Empire' (16th November 2015 – 27th March 2016).

2.11 The Society accomplishes its administrative tasks with a highly efficient core staff of merely 6 members: Director, Executive Officer, Outreach Officer (part-time), Librarian, Archivist (part-time) and Executive Editor (part-time). Therefore it does not have the luxury of surplus workers to undertake additional duties should physical access to the building challenge any member of staff.

2.12 The Society lets the third floor of its building to tenants currently, the Japan Society for the Promotion of Science, a Japanese governmental organisation which actively funds a number of research projects at British universities and facilitates the exchange of expertise between Britain and Japan. It has eight full-time employees. The loss of this tenant would have severe implications for the Society's finances as well as cutting an important cultural tie with a like-minded organisation.

2.13 The Society also rents its lecture hall and meeting rooms to third parties for conferences and meetings. These are used daily by University College, London for classes and lectures.

2.14 The property is used by over 150 people a day including students, academics, and staff for classes, lectures and research. This includes scholars from overseas who travel to consult items in the Society's collections.
2.15 As mentioned above, your Petitioner is a member of the Stephenson Way/ Gordon Street Petitioner Group. The Group has had regular communication amongst its members and has been meeting as a group since 2013. The Group has been recognised by the Promoter as a business mitigation group whose concern is to ensure the ability of its members to continue to operate and maintain their charitable businesses and activities in the area whilst the HS2 construction works are carried out. These works are of concern to the Group generally and to your Petitioner in particular not only in their own right but also in terms of their overlap and interface with works associated with other major projects which will be closely associated with HS2 at Euston such as Crossrail 2, Euston Station refurbishment and Euston Station Over-Site development.

2.16 Your Petitioner as a member of the Group has been constructive in its approach to negotiations with the Promoter and in its endeavours to arrive at workable solutions. Importantly, the Group has commissioned expert advice from leading acoustic and civil engineers with direct experience of the very largest deep excavation, rail and tunnelling projects in Central London to advise on likely construction effects of HS2 and constructive ways of avoiding and overcoming them. These advisers have been asked to consider workable means of avoiding and minimising effects on the operations and premises of Group members by using industry standard construction techniques and precautions. Your Petitioner and other Group members and its advisers have endeavoured to engage with the Promoter so that these means can be incorporated into HS2 construction programmes and methodologies early enough for them not to impact on HS2 cost or programme.

2.17 During the two years while the Bill was in the first House, the Promoter was extremely slow to engage with your Petitioner and the Group and even then, engagement was superficial. As a consequence, it was necessary for your Petitioner and other members of the Group to appear before the Select Committee. The Select Committee recommended in paragraph 240 of its report:

"Stephenson Way and Drummond Street businesses and hotels"

Businesses, hotels and professional and academic organisations in and around Stephenson Way will be severely affected by construction. They need proper notice of when works will commence so that they can organise their activities. We believe a minimum of three months’ notice is appropriate—preferably more. The Promoter has agreed to establish a business mitigation user group to discuss problems and solutions. These will be helpful. We urge the Promoter to respond positively to the needs of petitioners from this area in the period between our report and the Lords select committee stage. The activities of several of the organisations we heard from are noise and/or vibration sensitive. We would like the Promoter to pay the reasonable costs of risk assessment and surveying to determine sensitivity to construction effects such as vibration."

2.18 Whilst discussions have taken place between your Petitioner and other Group members and the Promoter since the Select Committee reported in late February, with some positive signs of greater cooperation, agreement has not yet been reached in relation to the protections sought by your Petitioner or the Group.
2.19 The slow progress to date in arriving at a satisfactory response to your Petitioner's concerns and a satisfactory framework for future working between your Petitioner other Group members and the Promoter and other participants in the redevelopment of Euston was noted during the Second Reading Debate in your Lordships' House. It was comforting to hear the Government spokesman during the debate comment that he hoped that the issues of the Group would be "addressed without much further recourse". Your Petitioner is, in common with other Group members, committed to working as positively as practicable with the Promoter to meet the concerns identified and hopes that this heralds a period of rapid and mutually satisfactory collaboration in finding and effecting solutions.

3 YOUR PETITIONER'S CONCERNS AND WHAT IT SEEKS

3.1 General

3.1.1 The Society's property at Stephenson Way is located within ten metres of the HS2 construction site for works to accommodate the high speed platforms and associated facilities for the HS2 station at Euston. Stephenson Way and Regnart Buildings are scheduled to be affected by utility diversions and replacement works. Your petitioner's property will not be demolished as a result of the Bill but will be in immediate proximity to significant works and access routes proposed under the Scheme. These will cause direct and unacceptable disturbance, with potential loss of use and amenity of the Society's property during construction. The operational viability of the building and the Society's finances will be seriously affected.

3.1.2 Your Petitioner originally deposited a petition (Petition Number 0047) against the Bill when it was introduced into the House of Commons for the following reasons:

- Disruption of the Society's activities during the works, as the building is the only facility for its members, scholars, visitors and members of the public.

- Severe financial losses to the Society, because the Society relies on a number of income strands which include member subscriptions and long term and short term lettings, all of which require that the building be maintained as a suitable work or meeting place. The income directly at risk amounts to half of the total needed for the Society every year.

- Damage to the collection which is held on behalf of the nation and posterity. The excavations and building work may affect the environmental systems, and disturbances to the water table may result in flooding.

3.1.3 In summary, your petitioner and its interests are injuriously affected by the works and powers proposed under the Bill and your petitioner objects for these reasons amongst others. The Society's ability to deliver the requirements of its Royal Charter, and future existence are placed at serious risk by the HS2 building works at Euston Station currently proposed. The main concerns, many of which appear also in the petition of the Stephenson Way/ Gordon Street Petitioner Group, are summarised below.
3.2  Period and nature of the disturbance and disruption

3.2.1 Your Petitioner’s requirements as set out continuously and consistently over many months and contained within its petitions during Commons stages of the Bill articulated in Group correspondence with the Promoter have thus far not been met by commitments regarding meaningful mitigation and/or compensation. Your Petitioner is therefore being expected to tolerate the magnitude and significance of the environmental adverse impacts without adequate mitigation or economic compensation for loss or disturbance.

3.2.2 Your Petitioner is deeply concerned that, the absence of sufficient and effective impact avoidance and mitigation measures could result in financial ruin and operational closure as a direct and sole result of the expected impacts arising from the HS2 Bill works.

3.2.3 Some of the elements of the proposed works to be undertaken for considerable lengths of time would appear to qualify as exemptions under the HS2 Code of Construction Practice for night-time working. Unrestricted times of permitted construction adjacent or close to your Petitioner’s property will lead to cancellation of conferences, room hires, societal events, museum/archive exhibitions, and educational programmes. The nature and characteristics of the activities undertaken in your Petitioner’s property require a distinctive and special approach from HS2 Ltd regarding mitigation, compensation and possibly relocation.

3.2.4 Your Petitioner is particularly concerned that the Bill includes powers for the Secretary of State and the Nominated Undertaker to carry out construction works which are now estimated to take at least eighteen years to complete. In addition, it is probable that other as yet unspecified works will be carried out in the same area at the same time by way of construction of Crossrail 2, refurbishment of Euston overground station and oversite development at Euston Station.

3.2.5 The length and intensity of disruption and disturbance stands to be unprecedented and would be unacceptable to your Petitioner, especially should sufficient impact avoidance, mitigation or/and compensation arrangements be absent.

3.2.6 Your Petitioner asks that the Promoter be directed to the effect that:

(a) Regular frequent and effective liaison and engagement arrangements specific to your Petitioner through the medium of the Group are put in place from the outset and continue throughout the period of development at Euston;

(b) those arrangements should have particular objectives of:

(i) enabling works at Euston to be designed, programmed and carried out (and ensuring that they are designed, programmed and carried out) in ways which build in impact avoidance, minimisation and mitigation measures appropriate to your Petitioner’s concerns from the outset;

(ii) ensuring that codes of construction practice and local environmental management plans and local traffic management measures put to the local planning authority reflect those principles from the outset;
enabling your Petitioner to be fully aware of programmes (and any necessary programme changes) for relevant works as far ahead as is practicable; and

the liaison and engagement mechanisms include escalation and dispute resolution procedures to ensure mutually acceptable outcomes wherever practicable.

3.3 **Noise, vibration, visual effects, light pollution, dust and atmospheric pollution**

3.3.1 Your Petitioner's property is located in close proximity to some or all of the following HS2 Work Sites and major works:

- Demolition of Wolfson House and the construction of a deep vent shaft, and escape stair for the Northern Line along with the construction of a new vent shaft building;
- Construction of the HS2 Station box with its very deep basement;
- Construction of the HS2 Station building;
- Works to Euston Square underground station;
- Diversion of the Fleet Sewer;
- Diversion of an existing 42 inch water main;
- Construction of a new subway under (and across the junction between) Melton Street, Gordon Street and Euston Road;
- Major utility works on Stephenson Way and Regnart Buildings;
- Work sites at Cobourg Street, Melton Street, Euston Square (East and West).

3.3.2 Unless carefully managed and modern best practice techniques are adopted taking specific account of your Petitioner's particular operations, concerns and sensitivities, these works will have severe and avoidable noise, vibration, visual, amenity and atmospheric and light polluting effects on your Petitioner's operations and their premises. Your Petitioner is concerned that, in any event, material damage may be occasioned to their premises, operations and property as a result of works at Euston.

3.3.3 In order to assist in meeting the above concerns, your Petitioner asks the Committee to direct that whenever reasonably practicable, the Promoter will:

(a) phase works such as to minimise disruption to access to premises of your Petitioner and

(b) phase works to avoid noise and vibration during periods and activities at such premises which are sensitive to noise, dust or vibration;

(c) avoid vibratory working methods or non-hydraulic driving of piles;

(d) shroud buildings being demolished to ensure so far as practicable that dust and noise are contained within the demolition site;
(e) use pipe-jacking rather than open trenching techniques wherever reasonably practicable;

(f) restrict works to normal working hours wherever practicable;

(g) store materials only within main work sites and not within the Melton Street or Cobourg Street compounds save such as are reasonably necessary for works underway and continuing on such sites;

(h) carry out subsurface works such as the Cobourg Street Vent shaft using "top down" techniques wherever practicable;

(i) use electrically powered plant and equipment in order to reduce on-site noise and air pollution;

(j) where works such as the Cobourg Street vent shaft are to be constructed within the footprint of any existing building, use the walls and roofs of existing structures as dust and noise screens wherever practicable;

(k) employ techniques such as clamping gels to reduce airborne dust at source;

(l) deploy techniques during construction and demolition for avoiding unnecessary noise, dust or vibration in connection with those works to be carried out within 50 yards of your Petitioner's property which are no less rigorous than those within recognised industry best practice codes of construction practice such as those required to be adopted by the City of London Corporation for works within the City of London and for the Thames Tideway Tunnel where works are proposed in close proximity to particularly sensitive uses and buildings.

3.3.4 Your Petitioner also asks that the Committee direct the Promoter to ensure, in collaboration with the Petitioner:

(a) that risk assessments are carried out,

(b) that the sensitivity of your Petitioner's premises and activities is agreed in advance between your Petitioner and the Promoter,

(c) that pre-emptive avoidance and mitigation measures are put in place to address those sensitivities,

(d) that agreed forms of monitoring (with access to real time information for your Petitioner) are undertaken throughout works, and

(e) that trigger action plans are developed to ensure that if thresholds are likely to be passed or risks seem likely to be realised, a selection of appropriate pre-emptive and remedial actions agreed in advance can be taken.

3.3.5 Your Petitioner asks additionally that the Promoter be directed that appropriate steps agreed in advance should be taken to avoid material damage wherever practicable, to offset the risk of it happening and to ensure that, if it occurs, any such damage is made good and sufficient compensation is paid wherever it arises.
3.4 Programming and Notice

3.4.1 Your Petitioner’s operations are such that it programmes events and makes bookings with third parties in relation to its premises many months, sometimes years in advance.

3.4.2 Over and above pre-emptive mitigation works and general control and management of impacts by the Promoter, it is essential that your Petitioner has extensive advance notice of when particularly noisy and disruptive activities in relation to HS2 are to take place. This will help enable your Petitioner’s activities to be programmed and for contingency measures, such as hiring alternative accommodation to be put in place as far in advance as possible.

3.4.3 Your Petitioner therefore asks that the Promoter be directed to give as much notice to the Petitioner as practicable of its programmes for relevant works in the vicinity of your Petitioner’s premises and in any event that for particularly noisy and disruptive activities minimum periods of notice are observed and that particularly sensitive periods notified in advance by your Petitioner are avoided.

3.5 Flood, Groundwater and Surface Water

3.5.1 Fears exist for the well-being of your Petitioner’s priceless historic collection of books, manuscripts and artworks which is stored in the basement of 14-16 Stephenson Way in a climate controlled environment. It has been indicated that disturbance of the water table may result in flooding during the building works. This concern is substantiated by The Flood Risk Assessment Report Euston Station and Approach (Ref: paragraph 5.2.1. of Volume 5 Appendix WR-003-001 of the Environmental Report) which states that the alley known as Regnart Buildings to the rear of 14-16 Stephenson Way may be significantly vulnerable to flooding.

3.5.2 Your Petitioner cannot relocate the collection without suspending its work. Costs of specialist storage could be expected to amount to or exceed two hundred and fifty thousand pounds per annum.

3.5.3 Your Petitioner’s premises have a basement. This space performs functions essential to its operations and is used to store priceless and unique artefacts. The basement area is, however, vulnerable to water ingress in consequence of HS2 works such as from changes in the groundwater regime, raised groundwater levels, increases in groundwater pressure, diverted groundwater flows and accidental escapes of water from water mains or sewers.

3.5.4 Your Petitioner’s property may also be vulnerable to changes in surface water run off occasioned by construction of new structures and demolition of existing buildings as part of HS2 works.

3.5.5 Your Petitioner’s property is in an area of recognised flood risk and your Petitioner is concerned that this has not been adequately addressed in design and assessment of HS2 works.

3.5.6 Civil engineering advice given to your Petitioner and other members of the Group indicates that survey work undertaken by HS2 Ltd thus far is insufficient to support conclusions arrived at to date and that more needs to be done. The advice highlights risks of diversion or backing up of groundwater in the direction of your Petitioner’s premises as a consequence of deep construction works authorised under the Bill and scope for adverse effects related both to temporary dewatering activities whilst construction works are undertaken and to allowing the groundwater table to recover after construction has taken place.
3.5.7 Until your Petitioner can be reassured that the Promoter has knowledge of all watercourses and other hydrology matters in the locality and has formulated a thorough and proactive strategy for ensuring that adverse effects are not suffered as a consequence of HS2 works, there can be no confidence that the HS2 proposals will not exacerbate the risk and potential for flooding and other water damage.

3.5.8 Your Petitioner therefore ask that the Promoter be directed:

(a) to carry out sufficient surveys and risk assessments;

(b) to ensure that appropriate protective works and measures in relation to your Petitioner's premises are implemented in advance of works commencing; and

(c) to ensure that monitoring and trigger action plans agreed in advance with your Petitioner are put in place.

3.6 Access and servicing

3.6.1 Your Petitioner takes access from or along the following highways: Euston Road, Stephenson Way, Regnart Buildings, Euston Street, and North Gower Street.

3.6.2 Pedestrian, vehicular, cycle and public transport access to premises occupied by your Petitioner will therefore be affected by:

- works to and temporary whole or partial closures of Stephenson Way, Euston Road, North Gower Street, Regnart Buildings, Melton Street and Euston Street;

- use of the above highways by construction traffic; and

- diversion of traffic along many of the above highways.

3.6.3 Your Petitioner has particular concerns about the ability to adequately access and service its premises while construction is underway. This applies particularly in relation to Stephenson Way and Euston Street.

3.6.4 Stephenson Way will become a cul-de-sac for the duration of the works (2017-2031) and there appears to be no provision made for the turning of vehicles (CFA1 13.4.10). An already narrow road will carry traffic in both directions. This will not only create noise and dust but be very hazardous to pedestrians on what is a very narrow footpath.

3.6.5 The ability of vehicles to safely enter and leave Stephenson Way in a forward gear, is of particular concern given Stephenson Way's narrowness, its use by large vehicles such as articulated lorries and coaches, potential conflicts between those vehicles and pedestrians, and the proposal to close off its northern end. To date the Promoter has not suggested how these difficulties might be overcome. Neither a turning head for vehicles nor phasing of construction works to enable a one way through route at all times has been proposed.

3.6.6 It is very important to your Petitioner that permeability in its locality is maintained. Convenient pedestrian access between its premises and Euston Station is essential at all times throughout the construction period, as is adequate signposting and wayfaring information where existing lines of sight are interrupted or existing routes are diverted.
3.6.7 Your Petitioner asks that the Promoter be directed to ensure that:

(a) no interruption to access or servicing should occur to any premises of your Petitioner other than by agreement in advance;

(b) any interference with access or servicing is kept to a minimum at all times;

(c) wherever any routes providing access to your Petitioner’s premises are diverted that appropriate and convenient alternative routes and clear and appropriate wayfaring information and signage are all provided;

(d) the principles along with measures agreed as part of liaison and engagement procedures identified above are all reflected in material submitted to the local planning authority and the local highway authority for approval under other procedures contemplated by the Bill;

(e) traffic displaced from Euston Road, Gower Street, Woburn Place, Gordon Street and/or Hampstead Road should not be directed along Endsleigh Gardens, Gower Place, North Gower Street, Euston Street, Regnart Buildings or Stephenson Way;

(f) construction vehicles will not use any of Stephenson Way, Euston Road, North Gower Street, Euston Street or Regnart Buildings other than for purposes limited to carrying out (and during) utility works within the boundaries of that particular road.

3.7 Utilities

3.7.1 The continuous availability of communications and utility services to your Petitioner’s premises is of vital importance to its being able to perform its functions, both as part of general activities and when its premises are subject to third party bookings, examinations, performances and public exhibitions.

3.7.2 The Promoter proposes major utility works in the vicinity of your Petitioner’s premises. These may be heavily noisy and disruptive in their own right and many may necessitate temporary disconnection of services whilst they are being carried out.

3.7.3 Unplanned interruption of services or in the case of certain critical services interruption without a substitute being available at all times could be severely damaging to your Petitioner’s operations.

3.7.4 Your Petitioner therefore asks that the Committee direct the Promoter:

(a) that in relation to specified utility and communications services identified in advance, there should be no interruption (or reduction in capacity) unless supplies of at least equivalent capacity are first provided and commissioned;

(b) that in case of other utility and communications services, there should be no interruption or reduction in capacity other than at times notified and agreed in advance and any interruption or reduction should be kept to a minimum in timescale and quantum;
utility works undertaken by persons other than the Promoter or nominated undertaker should be subject to the same considerations and constraints as works undertaken by the Promoter or nominated undertaker directly; and

(d) disruption associated with utility works should be kept to a minimum with trenchless/no dig techniques being used wherever practicable.

3.8 Parking

3.8.1 Your Petitioner’s premises do not have facility for internal parking and rely on on-street parking spaces, particularly for blue badge users.

3.8.2 During the course of works many of these spaces stand to be lost temporarily or permanently. Your Petitioner therefore asks the Committee to direct the Promoter:

(a) to maintain the blue badge spaces serving its premises in either existing locations or alternative locations no less convenient to potential users (the blue badge spaces to be reinstated in their previous location following completion of Works in the vicinity of the relevant premises);

(b) to provide replacement on-street parking spaces in reasonably convenient locations; and

(c) to provide signage to indicate the location of any alternative or relocated parking spaces.

3.9 Vent shaft works and public realm

3.9.1 The proposed vent shaft at Cobourg Street will be in close proximity to your Petitioner’s premises. Moreover, your Petitioner’s premises will be close to work sites and/or overlook or have walls revealed where neighbouring buildings have been demolished.

3.9.2 Your Petitioner is concerned that hoardings around work sites and construction compounds should be attractively designed as well as being effective for the purposes of noise and dust attenuation; and that walls exposed by demolition should be subject to suitable surface treatments to ensure that they are attractive, watertight and make a positive contribution to local amenity. Your Petitioner asks that the Committee give a direction to the Promoter to this effect.

3.9.3 Your Petitioner is concerned that the vent shaft at Cobourg Street in particular will not have an active street frontage and, as with many vent shafts in Central London, it will not contribute aesthetically to the local street scene either upon completion or over the passage of time. Your Petitioner is concerned that the vent shaft will become an isolated and unmaintained eyesore (as with many other vent shafts in London) and also that the noise and vibration emanating from the shaft will adversely impact the operation and use of adjacent buildings.

3.9.4 Your Petitioner therefore requests the Committee to direct the Promoter, in relation to the Cobourg Street vent shaft:

(a) to promote an attractively designed building to house it;

(b) to ensure that such building contains and attenuates noise and vibration emanating from within to an acceptable level to be specified in advance and
3.10 Crane Oversailing

3.10.1 Your Petitioner is concerned that the Bill includes powers authorising the Promoter to oversail premises with tower cranes; that such oversail may carry risk to premises unless closely controlled; that any crane erected may if it collapses cause damage to nearby premises and that the safety measures employed in connection with the erection and operation of any crane may not meet the industry standards insisted upon when rail undertakers' premises are close to the erection or operation of cranes in connection with mainstream development.

3.10.2 Your Petitioner therefore asks the Committee to direct the Promoter that any crane oversailing of premises close to your Petitioner's property:

(a) shall only be permitted if carried out in conformity with:
   (i) British Standard BS 7121 Code of Practice for Safe Use of Cranes;
   (ii) terms equivalent to those applied by Network Rail wherever operational land other than a permanent way is to be oversailed;

(b) shall be subject to comprehensive indemnities in favour of your Petitioner if its premises, even if not directly oversailed by any jib or cargo swing, are within the zone within which any part of the crane or its structure might collapse.

(c) shall be restricted to purposes exclusively for the construction of the HS2 station box and the Cobourg Street vent shaft and shall explicitly not extend to construction under any other power or planning permission.

3.11 Shortcomings of the Compensation regime under the Bill

3.11.1 Your petitioner is particularly concerned that the Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to last until 2033 and will include lorry movements, service and utility diversions, road works, demolitions, deep excavations, 24-hour working and major construction works in close proximity to your Petitioner's property. These works will create dust, noise and air-pollution; potentially-damaging vibration affecting the proper operation of sensitive temperature-control equipment; and loss of vehicular access. No mitigation and/or compensation has been quantified or offered. Your Petitioner is particularly concerned that it will be unable to continue with the activities that currently take place in the building. Noisy demolition and construction activities will seriously affect its lectures, workshops and seminars, and the ability of its members and international visitors to undertake research in quiet conditions in the library. This, in turn will have financial implications through loss of members no longer able to avail themselves of the facilities. Fellowship subscriptions represent approximately twenty per cent of your Petitioner's funding. At present approximately 100 new Fellows join the Society each year.
3.11.2 Loss of long term rental and short term letting opportunities would significantly reduce income and could ultimately lead to your Petitioner's demise. Rentals account for over 50 per cent of the Society's income, with the long-term tenant also contributing importantly to the running costs of the building through a service charge. Your Petitioner has no alternative facilities available to it should the disturbance from HS2 demolition and construction activities render the building unusable for the activities which have been described above. Neither long nor short term tenants will continue to rent facilities from the Society in the event of disruption as severe and as lengthy as is likely to occur under the current proposals.

3.11.3 The statutory compensation code compensates for the loss of property, not for loss of profits or damage caused to a business. When property is acquired compulsorily, the code provides compensation for property owners who are displaced. Where, as would be the case with your Petitioner, none of its land would be taken, the position is different. The only compensation ordinarily payable comes after completion of the works - and then only in respect of some aspects of the operation of the works, not their construction. Paradoxically, therefore, greater loss would be suffered by being adjacent to works but retaining one's land than by being in the way of works and having the land acquired.

3.11.4 The lack of any material proposals from the Promoter to deal with this issue is unacceptable, and if left unresolved, will lead to problems of a national scale and undermine the principle that no business should suffer because of the Bill proposals, but rather that adequate mitigation and compensation should be available under such exceptional circumstances.

3.11.5 If adequate mitigation does not prove possible, if HS2 will not agree to provide it, or if it proves ineffective, compensation in one form or another, e.g. monetary or temporary relocation, or a combination of both, should be provided. The significance of the activities of your Petitioner is such that it would be against the public interest for your Petitioner to suffer uncompensated loss in consequence of the HS2 works.

3.11.6 The Committee is therefore asked to direct that the compensation regime under the Bill be amended accordingly. A solution which would go some way towards meeting the concern would be, as put to the Commons Select Committee in relation to the Bill, that: a provision be included in the Bill that section 10 of the Compulsory Purchase Act 1965 should apply for the Petitioner (or (should the Committee determine) in the Euston CPA or generally), where there is injurious affection of an interest in land directly attributable to the carrying out of the works authorised by or directly connected with the Bill.

3.12 Burden of increased costs including maintenance, insurance and professional fees associated with HS2 and engagement processes

3.12.1 Your Petitioner is concerned that the general maintenance and insurance costs of its property (including buildings and contents) will increase significantly for the duration of the HS2 works, without proper or adequate compensation. It will also individually and as a member of the Group have to incur costs of professional advice, e.g. as to party wall issues, threats to the fabric and contents of the building, dust control, asset protection and other issues which arise in the course of the now extended period over which HS2 and associated works are contemplated.

3.12.2 These costs are all likely to be significant, an additional overhead for your Petitioner to bear and will divert funds from being applied to your Petitioner's charitable objects.
3.12.3 Your Petitioner therefore asks that the Committee direct the Promoter to reimburse your Petitioner's Group members in respect of all such costs.

4 THE PRAYER

The Petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioner remains, etc.

Berwin Leighton Paisner LLP

18th April 2016
To the House of Lords
Session 2015-16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF AYLESBURY VALE DISTRICT COUNCIL

Declares that:

1. Your Petitioner and its property, rights and interests in its area and the inhabitants of its area would be injuriously and prejudicially affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

Introduction

2. Your Petitioner is the local authority for the Aylesbury Vale District in Buckinghamshire ("the District") and has been invested by Parliament with a number of important powers and duties in relation to the interests of the inhabitants of the area. Your Petitioner is the local planning, housing and environmental health authority for the District.

3. Your Petitioner welcomes the improvements to the Hybrid Bill brought about by the instructions and directions of the House of Commons Select Committee hearing evidence from residents, communities and businesses in the District and from other petitioners along the route.

4. Your Petitioner is acting in the interests of the District’s residents and businesses. Your Petitioner has actively worked with communities, local councillors and a large number of individual residents to develop the ‘asks’ sought from the Promoter.

Your Petitioner’s Concerns

Extended Chiltern Tunnel

5. The District includes a part of the Chilterns Area of Outstanding Natural Beauty ("the AONB") and it is proposed in the Bill that the railway will be constructed above ground within the AONB
in the District except for about 1.1Km at Wendover where the route is proposed in a Green Tunnel.

6. The AONB is an area of considerable environmental sensitivity, having been designated in 1965 for the natural beauty of its landscape, its nature and cultural heritage. The Promoter has recognised the importance of the AONB in environmental terms within the Environmental Statement deposited with the Bill ("the ES").

7. Your Petitioner welcomes the improvements to the Bill scheme brought about by Additional Provision 4 which extended the tunnelled route through the Chilterns; however, despite this improvement, around 40% of the route through the Chilterns from the M25 will still be above ground.

8. Your Petitioner requests that the Chilterns AONB be further protected by extending the presently proposed bored tunnel to the northern edge of the AONB beyond Wendover, by requiring the construction of an extended tunnel, based on the T3i proposals developed by HS2 Limited, to ensure that the line passes through the whole of the AONB in a bored tunnel. The extended tunnel proposals have been referred to in the Environmental Statement and accepted by DfT and HS2 Ltd as both feasible and environmentally preferable to the proposed scheme. This proposal has been extensively discussed with local councils and action groups, within the local area forums, and is supported by them. The adoption of this proposal, which is included in the petitions of a number of local authorities and other groups, who intend to present a joint case on it to the select committee, would substantially remove the adverse effects complained of in the remainder of this petition and the need for most of the proposed remedies otherwise required.

9. There would be consequential effects in the District if your right honourable House were to agree that the extended tunnel should be constructed, and those effects would be felt particularly near to Stoke Mandeville village and parish. Your Petitioner would wish to see proper mitigation for any additional effects included in the consequential amendments to the Bill and in the accompanying addendum to the ES. Your Petitioner would also expect the Promoter to agree that fabrication of the tunnel sections required would take place away from the District and then be brought to the construction sites by rail.

10. If the extended tunnel were to be built, your Petitioner would also wish to ensure that landscape impacts were properly mitigated at the places the tunnel would emerge and at tunnel breaks. Your Petitioner would need to understand the specific and cumulative impact of the significant
engineering works, cuttings and embankments, particularly given the sensitivity of the valley landscape in the area affected. Your Petitioner therefore respectfully asks your right honourable House to require the Promoter to undertake that the detailing of the proposals, were your right honourable House to decide in favour of the extended tunnel, will be informed and supported by 3-D modelling of the proposals and the surrounding landscape and that the Promoter and the Nominated Undertaker would work with your Petitioner and others to agree an approach to minimising impact.

Chetwode

11. Your Petitioner supports the local community and the parish church of Saint Mary and Saint Nicholas in seeking to secure the appropriate design of HS2 and mitigation of the project’s impacts. According to the ES, there will be a significant effect on 25 dwellings through noise and visual impact in Chetwode. Crucially, the settlement will be severed by the proposed line. A green tunnel could be constructed to minimise land take and minimise the impact of the proposed works on the tranquil setting of the village, giving better acoustic protection to an area that is noted to be particularly quiet.

12. The Bill, as amended by Additional Provision 5, proposes to mitigate the effects of the scheme by increasing the height of the proposed noise fence barriers from 3m to 5m and by extending the 5m high noise fence barrier on the east of the HS2 route by approximately 1km to the north, to Barton Hartshorn Railway Wood.

13. Your Petitioner is concerned that the proposed changes to the noise barriers in Chetwode do not provide adequate noise mitigation for the community nor do they address the fundamental issue of severance. Your Petitioner remains of the opinion that an appropriately constructed green tunnel would minimise the impact of the proposed works on the tranquil setting of the village, giving better acoustic protection to an area that is noted to be particularly quiet, avoid cutting this small community in half and is the best solution.

14. While it is acknowledged that a green tunnel will be more expensive than the Promoter’s proposal, your Petitioner maintains that the benefits are worth the additional expense. The position was summarised on behalf of your Petitioner to the House of Commons select committee by Mark Lowe QC as follows:

"Can I just say one thing, the committee will remember Chetwode. It’s a very small community and therefore the sort of numbers that wouldn’t normally attract
attention - the difference between 13 houses and three becomes very important when you have community of that scale. And I think the concern of the authority is that the adverse effects on the community as a whole are so much greater when you have say 13-22 houses affected than when you have three or four, and that’s why they say it’s worth the extra money. It’s not about the number of houses it’s about the overall effect on the community...” (20 January 2016, afternoon session, para. 299)

Calvert/Steeple Claydon & East West Rail

15. East West Rail is a major project to establish a strategic railway connecting East Anglia with Central, Southern and Western England. The western section is now a committed, funded scheme to re-introduce passenger and freight services between Bedford and Oxford, Milton Keynes and Aylesbury. It involves upgrading and reconstructing sections of existing and mothballed rail track, which is to be delivered by Network Rail.

16. Your Petitioner is concerned about both the physical impacts that the HS2 Works will have on East West Rail (where they would cross at Steeple Claydon) and about the potential for delay in East West Rail’s implementation that may be caused by the Authorised Works. Your Petitioner respectfully asks your right honourable House to amend the Bill so as to provide protective provision that will ensure that the implementation of East West Rail will not be delayed, or its subsequent operation affected, by the construction or operation of the Authorised Works.

17. Following a number of requests to the Promoter by the Petitioner for information in respect of the East-West Rail integration study carried out by Network Rail, in its letter dated 11 February 2016, the Promoter offered your Petitioner a presentation on the HS2-East West Rail Integration report and stated that the report would then be shared with your Petitioner at the earliest practicable opportunity. A presentation duly took place in February 2016 and a statement was made that the report would be provided imminently; however, the report has not been provided and your Petitioner again requests a copy.

18. Your Petitioner remains concerned about the impacts of the proposed Infrastructure Maintenance Depot (IMD) at Calvert. For instance, there will be significant impacts on the settlement of Steeple Claydon arising from the construction and operation of HS2, the proposed IMD and the construction railhead that will be required. In particular, there will be significantly worse impacts on residential properties on rural roads that serve the IMD and railhead site if deliveries of materials are made by road rather than rail.
19. Independent work has established the feasibility of a station/halt at Steeple Claydon and the Promoters of East West Rail have already allowed for passive provision of a station at Steeple Claydon. Your Petitioner would also ask your right honourable House to require the Promoter to ensure that a halt is provided (either by building it or funding it, possibly with other partners) on the East West Rail line at Steeple Claydon, to serve the IMD and surrounding communities.

20. Your Petitioner was pleased to note the late removal of the sustainable placement site at Shepherd’s Furze Farm but is concerned that this has introduced further uncertainty as to the impact of HS2 and the IMD on the communities, landscape and visual resource, ecology and cultural heritage of the area, in particular through visual impacts.

21. Your Petitioner requests that the Promoter provides any revised plans and profiles for the railway to your Petitioner and that it and provides mitigation for their impacts. In addition, your Petitioner asks to be consulted during the detailed design stage, particularly with a view to further reducing any visual effects.

22. As a result of requests from a range of petitioners, the Promoter agreed to establish a panel for the Steeple Claydon/Calvert Green/Charndon/Twyford area (with funding of £1m towards additional mitigation if/when justifies). However, no allowance has been made to cover the local authorities’ costs to administer and oversee these funds. Your Petitioner requests that sufficient funding is provided to meet these additional costs.

Local Authority Costs

23. Your Petitioner notes that the Bill and the supporting documents adopt similar regimes to those which were established for the construction of the Channel Tunnel Rail Link and Crossrail. Your Petitioner is pleased to note that this regime will include the agreement of a code of construction practice (“CoCP”), and local area management plans (“LEMPs”). Your Petitioner will wish to ensure that the CoCP is complied with properly and, in that respect, your Petitioner will incur a great deal of expenditure. Your Petitioner wishes to ensure that all of its reasonable expenses in processing detailed planning consents under Schedule 17, dealing with giving consent to activities under sections 60 and 61 of the Control of Pollution Act 1974 and in monitoring construction sites are fully met by the nominated undertaker, together with expenditure incurred by your Petitioner in planning and programming activities related to the detailed planning consents and CoCPs, and in enforcing them.
24. Your Petitioner supports Warwickshire County Council in leading on this route-wide issue. The first draft of a new Service Level Agreement has been produced by the Promoter but the local authorities do not consider that it will adequately cover all of their reasonable costs in fulfilling their duties to such a major and lengthy development.

Broadband

25. The District is not currently well served by broadband services, due in part to its largely rural nature. The route of HS2 runs for 42 km through some of the most rural parts of the District including settlements that are unlikely to be prioritised for service improvements by existing providers without significant up front expenditure. Your Petitioner requests that the Promoter be required to facilitate improved broadband services when constructing the Authorised Works, for example by including provision where suitable that will make it easier to lay cables and place other necessary broadband infrastructure in, over or under the Authorised Works.

26. In considering this issue, the House of Commons Select Committee was supportive of your Petitioner’s approach. The Committee’s Second Special Report of Session 2015 - 16 (22 February 2016) said –

"The Department of Culture, Media and Sport can establish which areas within, say, 3km of the HS2 route are unlikely to have superfast broadband provision and good 4G mobile telephone coverage by 2018 (the year after anticipated start of construction). Few if any of those living close to the route will benefit directly from the HS2 project. The Government is wrong to believe that the test for providing broadband and mobile access is whether the telecommunications industry can be offered a commercially viable market in such localities. If commercial propositions are not speedily forthcoming the Government should fund the provision. We do not direct whence the cabling comes; industry operators and Government can make a commercial assessment of that. We direct that, one way or another, the provision of a modern railway is to be associated with achieving modern high-speed communication along its route" (paragraph 369).

27. In its response to Commons Select Committee’s report, the Promoter said –

"The Promoter understands that the Select Committee’s concerns in relation to broadband provision are focussed on communities in non-urban areas along the line of route. We will work with the Department of Culture, Media and Sport to understand the current plans for
superfast broadband and 4G mobile connectivity in the relevant areas and what other measures could be considered to help enable those areas receive connectivity as a priority" (paragraph 113).

28. Your Petitioner looks forward to hearing more information about the measures to help non-urban areas receive broadband connectivity as a priority and hopes that this will be provided well in advance of your Petitioner’s appearance before the House of Lords Select Committee.

General

29. There are also other matters which may be taken up by other local authorities in their petitions and which are of general concern to local authorities along the route of the proposed railway. The Petitioner may lend its support to those local authorities should they present a case to the select committee of your right honourable House.

30. There are other clauses and provisions in the Bill as proposed to be amended by the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

The Prayer

31. The Petitioner therefore asks the House of Lords that the Council, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for Aylesbury Vale District Council

18 April 2016
To the House of Lords  
Session 2015–16  

PETITION against the  
High Speed Rail (London – West Midlands) Bill  

THE PETITION OF BUCKINGHAMSHIRE COUNTY COUNCIL  

Declares that:  

1. Your petitioner and its property, rights and interests in its area and the inhabitants of its area  
would be injuriously and prejudicially affected by the provisions of the Bill except for the  
provisions under the cross-sections “Railway matters” and “the Crown”.  

Your petitioner  

2. Your petitioner is the local authority for the county of Buckinghamshire and has been invested  
by Parliament with a number of important powers and duties in relation to the interests of the  
inhabitants of the area. Your petitioner is the highways authority for all existing or proposed  
highways in its area; also the lead local flood authority and the local planning authority in  
respect of minerals and waste.  

Your petitioner’s concerns  

3. Although your petitioner has engaged with the Promoter, given evidence to the House of  
Commons Select Committee, and received a number of assurances on a variety of topics, there  
are a number of matters which still cause your petitioner great concern.  

Extended Chilterns Tunnel  

4. Your petitioner requests that the Chilterns AONB be further protected by extending the  
presently proposed bored tunnel beyond Wendover, by requiring the construction of an  
extended tunnel, based on the T3i proposals as developed by HS2 Limited, to ensure that the  
line passes through the whole of the AONB in a bored tunnel. The extended tunnel proposals  
have been referred to in the Environmental Statement and accepted by DfT and HS2 Ltd as  
both feasible and preferable, environmentally, to the promoted scheme. This proposal has  
been extensively discussed with local councils and action groups and within the local area
forums, and is supported by them. The adoption of this proposal, which is included in the petitions of a number of local authorities and other groups who intend to present a joint case on it to the select committee, would substantially reduce the adverse effects complained of in the remainder of this petition and do away with the need for most of the proposed remedies otherwise required.

The line at Hawkslade, Aylesbury

5. The proposed line of route passes less than 200 metres from properties in Hawkslade ward. At the point where the route is nearest to the properties, it is emerging northbound at grade from Aylesbury South Cutting. At this point, overhead line equipment will be some 8 metres above ground level. As a result, residents will be adversely affected by both noise and visual intrusion into their landscape.

6. Your petitioner proposes that the Aylesbury South Cutting be extended by up to 400 metres so that the scheme emerges from the cutting at a point where residential properties are further from the line and so less affected.

7. Additionally, your petitioner proposes that a narrow "green bridge" be constructed over the cutting at the point nearest to the most affected properties to not only increase the mitigation for residents but to also offer improved access to areas to the south and west of the line to the proposed linear park. Such a construction will also obviate the need for the foot bridge currently planned in the proposed scheme.

Wendover

8. Your petitioner does not believe that the mitigation package for Wendover proposed by the Promoter is adequate. The package does not remove the concerns of the Wendover House Special School or St Mary's Church, nor those of many of residents. Wendover Parish Council and others presented compelling evidence to the House of Commons Select Committee about the costs of a tunnel compared to the costs of the surface mitigation.

9. The Wendover groups' calculation of the cost of a tunnel was significantly different from the Promoter's calculation. Owing to this, your petitioner understands that certain of the
Wendover groups will request in their petitions that the Promoter commission (and publish) a fully independent costs analysis of the Wendover groups' full tunnel proposal, which should include a full cost-benefit analysis of the environmental impacts of that proposal. Your petitioner assumes that the House of Lords Select Committee would give appropriate weight to the conclusions of any such report and could recommend that the proposed scheme be amended in light of it.

10. As the highways authority, your petitioner has not been properly consulted by the Promoter on the proposed road noise barriers nor yet seen any visual impact study or indeed any information which supports the Promoter's view that noise barriers will bring the cumulative noise down to acceptable levels. Your petitioner requests that the Promoter is directed to consult with the local authority on these matters.

Great Missenden haul road

11. The Promoter proposes to construct a haul road from the link road roundabout in Great Missenden. This proposal is unacceptable to the residents in the area due to transport delays and safety concerns, landscape impacts, impacts on community facilities and losses to local businesses from diverted footfall. The Promoter has offered an assurance to your petitioner that provides for an option to construct an alternative haul road whose alignment is further north along the A413. This is on the basis that any alternative proposed by your petitioner can be constructed within a reasonable timescale, does not create significantly worse environmental effects that cannot be mitigated, does not increase the costs or otherwise affect the economic, timely and safe construction of the railway, and requires your petitioner to secure all necessary powers and permissions. It is likely that a Transport and Works Act ("TWA") order would be necessary to deliver the alternative road.

12. As part of the process of considering any alternatives to the proposed haul road, your petitioner will take into account the views of the local community. For instance, your petitioner shared 5 different options with the Promoter in April 2016 and is awaiting comment on the viability of these options before consulting the local community.

13. Your petitioner, while grateful for the assurance, considers that the reasonable costs associated with an alternative road should be covered by the Promoter, including those for design, modelling and safety audit costs, EIA costs and additional mitigation costs to address congestion and safety issues. Your petitioner has raised this point with the Promoter and
hopes that an agreement on it can be reached. If not, your petitioner reserves its right to
appear on this point before the House of Lords select committee.

The River Misbourne and Chess

14. Your petitioner still has concerns about the effects of the project on rivers in the Area of Outstanding Natural Beauty (AONB). Your petitioner asks the Promoter to provide detail of active hydrological monitoring proposals for sensitive areas of both the Misbourne and Chess catchments and to agree prescribed mitigation/alleviation proposals (and threshold levels) at which these proposals would be automatically and immediately enforced to protect the integrity of the river bed and continuity of flow. (Paragraph 145 of the final House of Commons Select Committee report asked the Promoter to address the matter of hydrological surveying as a priority and your petitioner echoes that request).

Local Panels and Costs

15. Your petitioner is pleased that the Promoter recognises that there is a requirement for funds for additional mitigation in parts of the county. The Colne Valley Panel (consisting of the local authorities in the vicinity of the Colne Valley Regional Park) was established in October 2015 and funding of £3m was announced for additional mitigation, with £300,000 committed to cover the costs of administering the fund.

16. Subsequently, and as a result of requests from a range of petitioners, the Promoter agreed to establish a panel for the AONB (with funding of £3m) and for the Steeple Claydon/Calvert Green/Charndon/Twyford area (with funding of £1m). However, no allowance has been made to cover the local authorities’ costs to administer and oversee these funds. Your petitioner requests that additional funding is provided to meet these additional costs.

Community and Environment Fund/Business and Local Economy Fund (CEF and BLEF)

17. Your petitioner presented the route-wide evidence that the £30m announced for these funds was unlikely to meet demand. We welcomed the fact that the Select Committee recognised that the funds should be ‘substantially increased’ in their February 2016 report. The Promoter has subsequently committed to provide an additional £10m, making a total of £40m available for these funds.
18. Your petitioner does not believe that the additional £10m represents a ‘substantial increase’, given the scale of the impact on so many local communities and the environment, the length of the line and the number of years of construction. Your petitioner is also concerned that the indicative fund allocations may be based on Local Economic Partnership areas, which have no expertise in managing highways safety mitigation measures and whose boundaries are not always the same as local authority boundaries.

19. Your petitioner understands that the Promoter has not yet clarified whether Iver Parish Council can bid to the CEF and BLEF. Iver is adversely affected by the relocation of the Heathrow Express Depot to Langley which was introduced by AP2. The parish council understand that Slough Borough Council has been offered an assurance of a contribution of £6.25m towards discrete and defined projects within and around the proposed Heathrow Express (HEx) depot site. Your petitioner supports Iver Parish Council’s request that they should be able to bid to the CEF and BLEF or have a discrete fund of their own.

\textit{Hillingdon Outdoor Activity Centre (HOAC)}

20. The House of Commons Select Committee, at paragraph 199 of their final special report, said they hoped that the alternative location for HOAC in New Denham, Buckinghamshire would come to fruition. Your petitioner shares this wish and continues to progress work with the Promoter to make it happen. For instance, public engagement was held on the proposed planning application in March and April 2016.

21. Your petitioner recognises that relocation cannot take place at any cost and that all parties must act reasonably to agree on the long-term financial support for any new centre. Your petitioner is grateful for the Promoter’s assurance to pay your petitioner’s costs in relation to HOAC’s relocation. However, in order to secure the relocation, it is likely that further financial assistance from the Promoter will be required in respect of land ownership and tenancy costs. Your petitioner has raised this point with the Promoter and hopes that an agreement on it can be reached. If not, the petitioner reserves its right to appear on this point before the House of Lords select committee.

\textit{HS2 and East West Rail (EWR)}

22. In their letter dated 10 February 2016, the Promoter offered your petitioner a presentation on the HS2-East West Rail Integration report and stated that the report would then be shared with
your petitioner at the earliest practicable opportunity. The Promoter held a meeting on 18
February 2015 with your petitioner regarding the report; however, it only covered the Calvert
intersection and not where HS2 will intersect with the Risborough Line in south west Aylesbury.
Your petitioner requests that the Promoter (i) shares the full Integration report with your
Petitioner as soon as possible and (ii) if it has not already done so, undertakes a similar study
for the intersection of HS2 with the Risborough Line.

23. Your petitioner has a number of concerns about ecological mitigation in the Calvert area from
the cumulative impact of both schemes and would expect this to be included in the integration
report.

Great Moor Sailing Club

24. Your petitioner, as the local highways authority, supports the concerns expressed by Great
Moor Sailing Club with regards to its access. Your petitioner supports the Club’s request that
the nominated undertaker be instructed to provide a new access to the Club, with suitable
compensation for any loss of amenity.

Infrastructure Maintenance Depot Impacts

25. Your petitioner remains concerned about the impacts of the proposed Infrastructure
Maintenance Depot (IMD) at Calvert. Your petitioner was pleased to note the late removal of
the sustainable placement site at Shepherd’s Furze Farm but is concerned that this has
introduced further uncertainty as to the impact of HS2 and the IMD on the communities,
ecology and cultural heritage in the area, in particular through visual impacts.

26. Your petitioner asks the Promoter to provide any revised plans and profiles for the railway and
to mitigate any impacts. In addition, your petitioner asks to be consulted during the
development of detailed design, particularly with a view to further reducing any visual effects.

Steeple Claydon Footpaths 7, 8, and 9

27. Your petitioner is concerned about the realignment of Footpaths Steeple Claydon 7, 8 and 9,
which will be severed by the proposed Infrastructure Maintenance Depot (IMD). A single
footbridge will be provided instead of the 3 footpaths. Your petitioner supports the local
community’s request to move the proposed footbridge. The alignment has been discussed with
Network Rail who are the Promoters of the East West Rail scheme. Your petitioner asks that the Promoter works with the local community to bring forward this proposal.

**A40 – Assurance**

28. Whilst we are grateful that HS2 Ltd has removed the A40 through West Wycombe from the construction route, your petitioner requests that HS2 Ltd provides an assurance that the A40 will not be used as a construction route at any point during the construction phase.

**Iver and Langley HGV Traffic**

29. Your petitioner has concerns about the cumulative effect of the volume of local heavy goods vehicles in this area from a number of different developments, including the Western Rail Link to Heathrow and the M4 Smart Motorway Project. The Promoter has agreed to require the nominated undertaker to engage with the Promoters of committed major transport infrastructure projects in the immediate vicinity of the Heathrow Express depot construction site to understand the environmental impacts of these projects.

30. Your petitioner also requests that the Department for Transport produce a Transport Appraisal of all the schemes in this area and then propose a suitable comprehensive mitigation package funded by these nationally significant infrastructure projects. Your petitioner has raised this point with the Promoter and hopes that an agreement on it can be reached. If not, the petitioner reserves its right to appear on this point before the House of Lords select committee.

**Local Authority Costs**

31. Warwickshire County Council is leading on this route-wide issue. The first draft of a new Service Level Agreement has been produced by the Promoter but the local authorities do not consider it will adequately cover their reasonable costs in fulfilling their duties in respect of such a major and lengthy development. Your petitioner requests that the local authorities’ reasonable and properly incurred costs incurred in fulfilling these duties will be covered by the Promoter and fully supports the case that Warwickshire County Council will present on this issue.
32. The Parish Council have presented their evidence for a haul road from the rear of the vent shaft site joining with the A413 and your petitioner, as the highway authority, supports it.

33. Your petitioner also asks that the temporary road proposed by HS2 Ltd between Chalfont Lane and Horn Hill Road should not be constructed. This will result in a saving for the project which could be offset against the costs of providing the Parish Council’s preferred haul road.

34. All traffic should use Rickmansworth Lane/Hornhill Road to access the A412 and your petitioner asks that the junction of Roberts Lane/West Hyde Lane be closed to protect residents from vehicles using the route to cut through and ensure HGVs are prevented from using these lanes.

Local jobs, skills and economic opportunities

35. The construction of the works authorised by the Bill may provide additional employment in the county, not just directly on the construction sites, but indirectly as well. Your petitioner requests that the Promoter prepares a local procurement strategy which will include a commitment to use the local workforce and supply chain during construction of the scheme, offering opportunity for skill development and apprenticeships.

Discretionary compensation schemes

36. The House of Commons Select Committee recommended amendments to the operation of the discretionary compensation schemes with a view toward greater fairness and a more functional property market in areas near to the proposed line. On behalf of its residents, your petitioner wishes to draw this to the attention of the House of Lords Committee and ask them to support these amendments.

Emergency services routes

37. Your petitioner has statutory fire, public health and emergency planning duties and is concerned about the potential impact of HS2 on the emergency services whose response times could be affected during the construction and operational phases of the scheme. As the House of Lords select committee will appreciate, the scheme’s possible effect on the emergency services is a cause of great concern to your petitioner’s residents. Owing to this, your petitioner
requests that the Promoter engages with the emergency services to discuss any concerns they might have arising from the scheme.

**Code of Construction Practice (CoCP)**

38. Your petitioner has engaged with HS2 Ltd through the Planning Forum to seek clarification, revisions and improvements to the CoCP. Your petitioner notes that the Promoter has clarified that contractors will face a sanction for any breach of the CoCP but has not said what these sanctions may entail. Your petitioner requests that there is consultation with local authorities on what those sanctions may be and at what levels.

**Workforce trips**

39. The Route Wide Traffic Management Plan has recently been released. There is a concern in areas that will be experiencing a high number of daily workforce trips, such as the area around the Infrastructure Maintenance Depot, that there will be no controls on the routes followed by private vehicles or visitors. Your petitioner requests that, in areas where this will cause most concern, trips will be managed and monitored by the nominated undertaker and the construction routes will be mandatory for all workforce and visitor trips. This should be included in the Local Traffic Management Plans with adequate steps in place to discourage other routes being used. Records to demonstrate that monitoring and enforcement is being carried out should be made available to local authorities upon reasonable request.

**Business rates relief**

40. Your petitioner’s county is one of the most prosperous, productive and entrepreneurial parts of the UK. Up to 10% of Buckinghamshire businesses are within 3km of the HS2 route. Your petitioner considers that business affected by the construction and operation of the project should be entitled to business rates relief and that your petitioners should subsequently be compensated by the Promoter or Nominated Undertaker for the impact on its revenue.

**Tourism**

41. Tourism is critical to your petitioner’s county. Over 2.3 million tourists visited the HS2 corridor area of the Chilterns AONB in 2013. Tourism generated £79.76m through direct and multiplier impacts and it supports an estimated 2,768 jobs in the area, according to a Tourism South East
report in February 2015. Your petitioner requests that the Promoter should compensate affected businesses. The scheme’s negative impact on tourism provides further justification for increasing the Community and Environment Fund and the Business and Local Economy Fund.

**Waddesdon Haul Road**

42. Waddesdon Parish Council undertook an informal consultation with residents from 13 August 2015 to 10 September 2015, on various options for a relief road. There is already significant development in both Aylesbury and Bicester with Waddesdon located between both these growth areas. HS2 will add up to 600 additional vehicles per day at the peak of construction. The majority of residents voted for a temporary haul road. The parish council then presented evidence to the House of Commons Select Committee to ask that a temporary relief road or haul road be constructed to relieve pressure on the A41. Your petitioner requests further consideration of this request.

**Ecology issues outstanding**

43. Your petitioner presented extensive ecological evidence to the House of Commons Select Committee. Your petitioner wrote to the chair of the Committee, Robert Syms, on 14 January 2016, to summarise our position on a number of outstanding issues.

44. Your petitioner asks that the Committee instruct the Promoter to carry out a thorough connectivity analysis in partnership with local authorities and wildlife groups. The results of this analysis should be used to inform the location and design of green bridges and ecological mitigation in partnership with local authorities.

45. The Promoter agreed to set up an Ecology Review Group (ERG) however, since January 2016, your petitioner has received little detail about how it will operate, report, be set up, or be financed. Your petitioner would like the opportunity to comment on the ERG’s terms of reference prior to Royal Assent and, unless they are provided voluntarily, requests that the House of Lords Select Committee instruct the Promoter to provide this information to your petitioner.
General

46. There are also other matters which may be taken up by other local authorities in their petitions and which are of general concern to local authorities along the route of the proposed railway. The petitioner may lend its support to those local authorities should they present a case to the select committee of your right honourable House.

47. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your petitioner and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

The prayer

48. The petitioner therefore asks the House of Lords that the council, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for Buckinghamshire County Council
18 April 2016
To the House of Lords  
Session 2015-16  

PETITION against the  
High Speed Rail (London – West Midlands) Bill  

THE PETITION OF THE LONDON BOROUGH OF CAMDEN  

Declares that:  

1. The petitioner and its property, rights and interests in its area and the inhabitants of its area would be injuriously and prejudicially affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.  

2. The petitioner is the local authority for the London Borough of Camden. It was established by the London Government Act 1963, which also conferred important powers and duties upon the petitioner. Numerous enactments since that date have added to the petitioner’s statutory powers and duties. It is the local planning authority and is, therefore, responsible for general planning and preparation of location plans. It is also the local highway authority and the education authority and has other powers and duties in relation to activities of public concern including housing, public health, recreation, civic welfare and amenity and the economic well-being of the area. As such the petitioner is responsible for the protection of its property, rights, security and interests and those of the citizens, inhabitants and ratepayers of Camden as a whole.  

3. The Bill would authorise the compulsory acquisition of certain interests in land or property of the petitioner, to which it objects, and in accordance with the standing orders of your right honourable House, notice has been served on the petitioner of the intention to seek such compulsory powers.  

Compensation  

4. The petitioner considers that the provisions in the Bill relating to compensation for those whose land is to be acquired under the Bill and, especially, those who will be affected by the construction and the operation of the proposed works even though their land is not acquired, is completely inadequate. The petitioner notes in particular that the promoters consulted on compensation proposals related to the Bill and made decisions following that consultation process. It is with great regret that the petitioner noted that residents of rural communities are to be treated in a different, preferential way from residents in Camden. For example, residents in rural areas will be able to claim the benefits of the promoters’ voluntary purchase scheme and other measures, which are not available to residents of Camden. The petitioner understands that the reason for this is that the promoters consider that residents of urban areas like Camden are used to having to put up with the adverse effects of construction works and railway noise and therefore are in some way more immune to their effects.  

5. The petitioner considers this to be grossly unfair and therefore asks your right honourable House to amend the Bill to ensure proper compensation will be payable not only to those in Camden whose land is to be acquired, but also those who will be badly affected by the works. In the words
of the select committee of the House of Commons at paragraph 237 of their final special report, “Camden is exceptional, and needs special treatment. Many residents are going to have to put up with disturbance on a scale beyond the experience in most other locations”. The petitioner agrees, and would urge that at least the equivalent compensation proposals are available to residents of Camden as are available to residents of rural areas. This should include equivalent provisions to those available in the “rural support zone”, namely the cash offer scheme and the voluntary purchase scheme and in the “homeowner payment zone”, namely the homeowner payment.

6. The existing provisions relating to statutory blight are also unfair for property owners in Camden, particularly business property owners. In order to be able to serve a blight notice, the rateable value of the business property must be less than £34,800. As the government’s own consultation on compulsory purchase reform (March 2016) says: “The current system is unfair to occupiers and landowners of properties in high value areas because their properties exceed the rateable value limit, and they are therefore barred from serving a blight notice.” Its proposed solution is to set a higher rateable value limit for serving a blight notice within Greater London than elsewhere in the country. The petitioner endorses this approach, and asks your right honourable House to consider altering the rules now in such a way for businesses in Camden who are affected by the Bill, rather than having to wait for legislation, if any, following the consultation process.

Community engagement

7. The petitioner has received assurances from the promoter about community engagement, and the select committee of the House of Commons made recommendations about the subject in its final special report. Paragraph 346 says “As the project moves toward commencement, considerate engagement and helpful provision of information will be even more important. HS2 Ltd will need to pay attention to communicating and explaining its decisions” and paragraph 235 said, in relation to Camden, that the NU should “consult conscientiously” and “respond with more than average diligence”.

8. The petitioner also notes the conclusions and recommendations relating to community engagement made by the House of Commons Public Administration and Constitutional Affairs Committee in its sixth report of Session 2015-16, to which the petitioner submitted evidence. For example, in the summary, the report said “Unless those responsible for delivering HS2 understand that first and foremost they serve the public, and take action to reflect this, then they will continue to be vulnerable to the criticism that they have disregard for members of the public who are impacted by this large-scale infrastructure project.”

9. The petitioner is very concerned to note that since receiving the assurances mentioned above, it has received reports from residents and businesses that there has been no improvement at all by the promoter in relation to engagement. For example, there have been no meetings of the Euston Community Representatives Group, a group set up by HS2 Ltd, since September 2015, despite requests from its members; the promoter has failed to hold a public meeting with communities from the north of Camden (the first one has only recently been scheduled to be held in May), and vulnerable members of the community are anxious about what will happen to them because they have had no communications from the promoter. The petitioner has represented the community in this process from a strategic point of view; however, it is ultimately the promoter’s responsibility to engage with the community to ensure their individual concerns are heard and responded to directly, rather than using the petitioner as an intermediary.

10. With no little amount of frustration, the petitioner asks that the promoter be required to make further significant improvements forthwith, in relation to the way in which it engages with the community in Camden.
Euston Station design

11. The proposed terminus of the railway is in Camden, at Euston Station. The Bill would provide for the construction of the High Speed 2 station in a staged programme that would take seven years longer to construct than was proposed in the original Bill scheme, meaning the construction of the Station alone wouldn’t be completed until 2033, giving very significant impacts on residents and businesses in Camden for a period of 17 years: longer than a child’s full school career. The first stage, described as Stage A, would be the building of the six High Speed 2 tracks required for Phase 1 of the Bill and would include subsurface platforms and ground level concourses. The second stage, stage B1, would be the lowering of five tracks in the existing station to provide the High Speed 2 tracks required for the anticipated Phase 2 Bill. The construction programme assumes that the final stage, described as Stage B2 and being the remainder of the existing station works, could be developed by Network Rail as the owner of the existing station at some as yet undetermined time in the future. Both Stage A and Stage B1 are said to incorporate passive provision that would allow the existing station to be redeveloped at a later date (outside the HS2 Bill process) and joined into the Station to create a comprehensive developed station.

12. The promoter has provided assurances to the petitioner relating to the delivery of the Euston vision, working collaboratively and the station design. They require the promoter and the nominated undertaker to participate with the petitioner in arrangements whose objects include overseeing the integration of the delivery of the HS2 Euston Station with other significant projects. The Promoter has also agreed that any solution must accord with the Euston Area Plan which has been developed jointly by the petitioner, the Greater London Authority and Transport for London. So, these assurances are welcomed by the petitioner and they go some way to meeting the serious concerns that the petitioner has in relation to the design of the station. But the petitioner remains seriously concerned about one aspect in particular, namely the absence of real certainty that the comprehensive development of the station as a whole, integrating the HS2 Station with the existing Network Rail Station, the forthcoming Crossrail 2 Station, over site and associated development and the surrounding area will actually be delivered, while funding for the Network Rail station redevelopment remains uncertain. The Petitioner expressed these concerns to the select committee of the House of Commons, who expressed support for the petitioner in their final special report at paragraphs 242-245.

13. The Petitioner has received confirmation from the promoter indicating a commitment to funding initial feasibility work for preparation of an outline masterplan for Euston Station. Despite that support, there has been no indication that the Secretary of State will take any steps to address the need to expedite and fund a detailed design of the Network Rail station, which is required, along with consideration of the Crossrail 2 Station, to allow the opportunity to create a truly integrated station at Euston by designing the stations at the same time.

14. To overcome the issues identified by the petitioner there must be a full and comprehensive development of the proposed HS2 works, the existing Station and Crossrail 2 station to form one integrated station on a level deck, with provision to ensure the future delivery of over site development above the station and tracks. This would entail the tracks within the existing station being lowered to the same underground level as the proposed HS2 tracks with a shared concourse covering the whole station at ground floor level and the removal of the proposed spine building between the HS2 and Network Rail Stations, so as to allow the potential for a joined up approach to developing above the stations and providing permeability through the stations. This alternative solution must provide for coordination of all the elements of a strategic transport interchange and other proposed transport infrastructure projects such as the proposed upgrades to the Northern Line, working with Network Rail, Transport for London and Crossrail 2’s Nominated Undertaker to integrate the HS2 and Network Rail stations with Crossrail 2 and it must include a requirement to
share worksites with Crossrail 2.

15. In summary, much progress has been achieved by the petitioner in securing the assurances referred to above, but the main remaining issue for the petitioner is the uncertainty of delivery, whilst the powers and funding for the redevelopment of the existing Network Rail Station are not secure. The petitioner therefore respectfully request your right honourable House to require the Secretary of State to give a commitment to ensure that work will not commence on the proposed HS2 station at Euston until the necessary powers and funding for the redevelopment of the existing Network Rail station are in place, and that those powers include the provision of a level deck concourse for the HS2 and classic station.

16. The petitioner is aware that other petitioners will be presenting alternative suggestions for the design of the station and its approaches. The petitioner would welcome alternative suggestions including a "within footprint" station that is deliverable and trusts that your right honourable House will provide those petitioners with a full opportunity to make their case.

Completion of negotiations and outstanding reports.

17. The petitioner has received assurances from the promoter about the movement of material and spoil by rail. In those assurances, the promoter undertook to engage actively with the petitioner, Transport for London and the Greater London Authority to develop a plan which seeks to maximise the volume of construction material brought to, and excavated spoil removed from, Euston Station by rail. The assurance provided that the plan is to be submitted to the Euston Integrated Programme Board and the Euston Station Strategic Redevelopment Board for comment no later than May 2016, and thereafter the plan would be submitted to the Secretary of State for a final determination on implementation. The petitioner welcomes the opportunity to participate in this process but reserves its position on the subject of movement of construction materials and spoil until the outcome of the process is known. If the outcome is unsatisfactory, then the petitioner may wish to address the select committee of your right honourable House on the subject.

18. A similar situation applies in relation to the design of the replacement for the Hampstead Road Bridge, which will be carried out under the Bill. Hampstead Road is a highway for which Transport for London are the highway authority, but it is in Camden, and the petitioner has concerns about the height and the design of the replacement bridge, which is very close to residential properties. It will be remembered that, as planning authority, the petitioner will be responsible for approving the detailed design of the bridge. Transport for London received an assurance from the promoter which says that the petitioner will be involved in the study referred to in paragraph 229 of the final special report of the select committee of the House of Commons. The study is into whether the proposed replacement Hampstead Road Bridge can be lowered in profile so that its impact is reduced. Until the study has been made available and depending on what it says, and until the further assurances have been received, the petitioner reserves its position on this subject and may need to address the select committee of your right honourable House on it.

19. A similar situation applies again in relation to a number of assurances from the Promoter about air quality. One of the assurances required the promoter to provide information relating to the use of EURO VI engines. It said that the information would be provided before the petitioning period in your right honourable House commenced. The Promoter has since indicated that the study related to this assurance will instead be provided before any potential appearance before your right honourable House on the subject and has extended the involvement of the petitioner in the scope of the study. The petitioner welcomes the opportunity to participate in this process but reserves its position on the subject of EURO VI engines until the outcome of the process is known. If the outcome is unsatisfactory then the petitioner may wish to address the select committee of your
right honourable House on the subject.

20. The petitioner has received assurances from the promoter about the provision of replacement open spaces and trees (and their protection) and also about the provision of mitigation for business and employment effects, and in particular the provision of a skills centre at Euston. These assurances are being worked up into legally binding agreements, and whilst that process remains ongoing, the petitioner reserves its position on these subjects and may need to address the select committee of your right honourable House if insufficient progress is made.

21. The petitioner is in the process of securing assurances from the promoter in relation to the utilities that run under the petitioner's estates and whilst that process remains ongoing, the petitioner reserves its position on this point and may need to address the select committee of your right honourable House if insufficient progress is made.

22. The promoter provided an assurance to the Local Authority Noise Consortium that it would actively engage on the provision of advice to the public, including the provision of an independent advisory service, in relation to eligibility and application of the construction noise and vibration mitigation package. The promoter aimed to conclude considerations by the time the Bill reached the House of Lords. This process remains ongoing and the petitioner therefore reserves its position as it waits for the outcome of these considerations.

Clause 48: Acquisition outside limits

23. Despite amendments to clause 48 having been made in the select committee and on consideration stage of the House of Commons, the petitioner continues to have concerns about it. Subsection (1) provides the Secretary of State with power to acquire land compulsorily if he considers that the construction or operation of Phase One of High Speed 2 gives rise to the opportunity for regeneration or development of any land. The petitioner is particularly concerned about this clause because land which is in its area lies in close proximity to the railway and Euston Station. The petitioner does not understand why subsection (1) is required at all and believes that it should be removed from the Bill. There are already adequate powers of compulsory acquisition in other legislation, notably the Town and Country Planning Act 1990, to enable compulsory purchase powers to be exercised by local authorities. This power is unqualified, meaning there is nothing in the Bill that would ensure it is only used as a matter of last resort, and your Petitioner is concerned that the existence of this power significantly undermines its own role in promoting the regeneration of its own local authority area. The petitioner does not understand why clause 48(1) is required at all and believe that it should be removed from the Bill or be disapplied from its area.

Highway Costs

24. The Petitioner is concerned about the recovery of certain highway-related costs that may be incurred arising directly as a result of the implementation of the Bill's proposals. The select committee of the House of Commons, at paragraph 339 of its final special report pointed out that the Government has said that it will make good on additional local authority maintenance costs attributable to HS2, applying its doctrine of 'no new burdens'. The petitioner is not convinced that this is necessarily the case in respect of liability for some highway maintenance and repair costs which will be imposed upon it directly as a result of the HS2 works. This is an issue which has been taken up on a route-wide basis by other highway authorities, and the petitioner supports them on it.
25. The petitioner has received a number of assurances from the promoter relating to the code of construction practice, but there are some remaining issues on which the petitioner remains to be satisfied, including the provision by the nominated undertaker of detailed results of the monitoring of construction impacts information to the petitioner. The petitioner is concerned to ensure that it is able to assess the impacts of construction on the health and well-being of its inhabitants and is perplexed about the refusal of the promoter to require the nominated undertaker to share information with the petitioner, which is responsible for these matters as environmental health authority. Without a requirement to share this information the Code of Construction Practice lacks transparency. The House of Commons recognised the importance of such information in paragraph 235 of its Second Special Report, noting "... there should be an assessment of compliance with noise limits and a survey of health impacts." The petitioner therefore asks your right honourable House to impose a requirement that the Nominated Undertaker share monitoring results and information relating to construction activity.

26. The petitioner is working with Transport for London to secure Construction Logistics Plans in the Code of Construction Practice for key locations of significant construction activity such as Euston. The promoter has to date not agreed the inclusion of this plan and the petitioner therefore asks your right honourable House to impose a requirement that the Nominated Undertaker includes a Construction Logistics Plan in the final version of the Code of Construction Practice.

27. The Code of Construction Practice remains in draft form and as such your petitioner reserves the right to raise other issues with the content as discussions with the promoter progresses.

The Construction Commissioner

28. There is a commitment from the promoter that a Construction Commissioner will be in place before the commencement of the HS2 Scheme. Information Paper G3 (Construction Commissioner) confirms this and explains that if someone is unhappy with any aspect of Phase One’s construction, the first step would be to complain to the nominated undertaker. If the complainant feels that the complaint has not been satisfactorily addressed through the normal procedure, he can then put his case to the Construction Commissioner.

29. The Information Paper explains that the Commissioner will be independent of the Secretary of State and of any nominated undertaker appointed to construct the proposed scheme. The petitioner notes that the Commissioner will be established by an independent body, which will be made up of a variety of project stakeholders, and which will monitor the Commissioner.

30. The petitioner understands that the independent body will include members who represent community interests and the construction industry. The petitioner considers that the independent body should also include local authority representatives and requests that the promoter provides an assurance to this effect.

31. The petitioner is aware that other petitioners will be presenting alternative suggestions for the creation of an independent adjudicator to deal with matters and issues arising in relation to the HS2 scheme wider than construction, including compliance with assurances. The petitioner would welcome the creation of such a role and trusts that your right honourable House will provide those petitioners with a full opportunity to make their case.
32. The petitioner has received a number of assurances from the promoter relating to mitigation of impacts upon residents significantly affected by construction works in the Euston area.

33. The assurances secure the production of a construction noise mitigation package for over 1025 properties in Camden which will be developed by the Nominated Undertaker and agreed by the petitioner. It will include the Nominated Undertaker commissioning an experienced person to independently survey additional residential properties that may also be affected by the construction of the scheme. If it is found that they are detrimentally affected, the Nominated Undertaker will install appropriate remedial measures which are agreed by the petitioner.

34. The petitioner welcomes the opportunity to participate in this process but reserves its position on the subject of residential mitigation. If progress on the mitigation package is unsatisfactory, then the petitioner may wish to address the select committee of your right honourable House on the subject.

Community Fund

35. Paragraph 305 of the final special report of the select committee of the House of Commons says: “Losses to the environment could be relatively more significant in urban areas with little green space. This should be recognised through specific extra allocations to Birmingham and Camden on top of the current Community and Environment Fund budgets. The Council could argue that it should get its own specific extra allocations on top of the Community and Environment Fund budgets.” Also, the select committee said that the amount proposed by the promoter to go into the Community and Environment Fund and the Business and Local Economy Fund should be substantially increased.

36. The petitioner has received no assurances following the committee’s first recommendation, and in response to the second, the promoter has indicated that the funds will be increased from £30m to £40m in total for both funds. The petitioner asks your right honourable House to require extra allocations to be made as proposed by the select committee of the House of Commons and supports other local authorities in the view that the overall fund should be increased further.

Schools

37. The petitioner welcomes the assurances it received from the promoter that address issues affecting schools in the borough, especially those in relation to Maria Fidelis.

38. The Maria Fidelis Convent School is a voluntary aided Catholic secondary school currently operating on two sites. The lower school is located on North Gower Street to the west of Euston Station. The site sits immediately adjacent to a proposed construction compound, which will be used for the railway works and is in close proximity, on two sides, to significant buildings that will be demolished. Utility works in the form of pipe laying will also be carried out in the school’s playground. The petitioner does not consider that the school should have to operate on this site during the construction of the works authorised by the Bill or afterwards as no amount of mitigation measures could ever completely overcome the detrimental impact of construction on the pupils at the school.

39. The petitioner is pleased to note that the promoter (through London and Continental Railways (LCR) a limited company established for the purposes of regeneration and development and wholly-owned by the Department for Transport), has agreed to buy an alternative site at
Drummond Crescent, which is adjacent to the upper school site on Phoenix Road, for the purpose of building a consolidated school for the lower and upper schools. It should be noted that in exchange for the promoter buying the school the petitioner has granted a share in its North Gower Street school site so while the promoter (through LCR) must make a short term investment, in the long term he gains a percentage of value in that property.

40. The petitioner understands that the school is required to stay on the North Gower Street site for longer than originally anticipated, currently estimated to be between 15 to 18 months, while construction works commence on two sides of the school site. While the relocation of the school is a complex process the petitioner wishes to ensure that continued efforts are made by the promoter to ensure that the Education Funding Authority expedites the projects. The petitioner therefore asks your right honourable House to recommend that this issue be brought to a conclusion forthwith by assistance from promoter so that the school can move as early as possible.

**General**

41. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of the Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

**The prayer**

42. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for the London Borough of Camden

18th April 2016
To the House of Lords  
Session 2015 – 16

PETITION against the  

High Speed Rail (London – West Midlands) Bill

THE PETITION OF THE CHILTERN BREWERY

Declares that:

1. Your Petitioner is specially and directly affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

2. Your Petitioner is The Chiltern Brewery, which is a partnership. Your Petitioner owns a freehold interest in its brewery (“the Brewery”), which is located at Nash Lee Road, near Wendover in the District of Aylesbury Vale.

3. Your Petitioner alleges that its rights, interests and property will be injuriously and prejudicially affected by the provisions of the Bill if passed into law in their present form, and your Petitioner accordingly objects to the Bill for the reasons, amongst others, set out below.

Introduction

4. Your Petitioner is a family business, founded in 1980 with the aim of re-introducing the brewing of local craft beer to Buckinghamshire and the Chilterns. Your Petitioner employs nearly 20 people across 2 sites, all within 10 miles of the Brewery. Your Petitioner’s founders, who remain partners in the business, live on the site of the Brewery.

5. Your Petitioner has steadily built up the business over a period of 34 years and has created a thriving Brewery and onsite shop that trades off its beautiful rural location in the Chilterns Area of Outstanding Natural Beauty (“AONB”) and Greenbelt. In November 2011, as part of the planning process to increase the size and brewing capacity of the Brewery, your Petitioner completed a ‘Statement of Special Circumstances’ which successfully argued the need for your Petitioner to remain in its current rural location and develop the existing site in order to survive as a business.
6. In that statement, your Petitioner said “The very nature of the business, its customers, the staff, the buildings, the main product, side products and even waste products are allied, reliant and dependent upon its location and situation on the edge of the Chiltern Hills”.

7. After taking 5 years to obtain the planning permission to re-develop the Brewery on the very basis that it was justified because of the need for it to remain at its current rural setting, it is unacceptable to your Petitioner to find that the rural nature of the area will be permanently blighted by HS2.

8. The Brewery is located to the west of the route of the proposed railway where it would cut across what is now open countryside, having just emerged from the proposed Wendover Green Tunnel in cutting. To the immediate west of the railway will be a significant area of bunding, running along the line. It is also proposed that there will be a satellite construction compound for the B4009 Nash Lee Road Overbridge located near to the Brewery, and the Wendover Green Tunnel (North) satellite compound will also be located within sight of the Brewery. It is also likely that there will be works to the overhead electricity lines that are near to the Brewery. The construction works in the vicinity of the Brewery will continue for a number of years.

9. If the proposed works proceed without alteration they would seriously affect the viability of your Petitioner’s business and livelihoods of those employed by your Petitioner.

Visual Impact

10. Your Petitioner is concerned that the proposed railway will ‘urbanise’ and thus significantly damage the beauty of the local area to a sufficient degree. In turn, your Petitioner believes that this will deter customers from visiting the area and remove a significant portion of passing trade. This will be particularly acute during the construction phase. The railway and the bunding alongside it will create an alien linear barrier running across the countryside at this location. The loss of the Greenbelt land caused by the new railway line, its bridges, and maintenance loops, embankments and cuttings are of concern as they urbanise the currently beautiful countryside in which your Petitioner and its employees work and live.

11. The view to the north and east of the brewery and the premises will be blighted by the line thus significantly reducing the value of the Brewery and attractiveness of the local area. Your Petitioner would urge your right honourable House to ensure that the Promoter does all that it can to provide and support tourism within the area, particularly during construction of the
12. Your Petitioner would ask your right honourable House to consider a fully bored tunnel under the Chilterns exiting north of Aylesbury which would eliminate nearly all the potential issues that are mentioned below – the visual impact, noise, loss of Greenbelt and construction issues (depending on what the surface construction requirements were). Construction and HGV traffic would then be moved away from the sensitive AONB and Greenbelt areas to more sparsely populated and less sensitive locations. Failing this, the Petitioner requests that the green tunnel going under Wendover be increased in length so that it finishes due north of the Brewery towards Stoke Mandeville. This would address, to a greater degree, your Petitioner’s concerns in relation to the operation of the high speed railway but not the construction issues.

13. Your Petitioner would request that the proposed nearby worksites and maintenance loop be moved from their current location to a more rural location (perhaps further north in Buckinghamshire) rather than on the border of the Greenbelt and AONB boundary. Failing this then every opportunity must be taken to minimise the sight lines of the construction project from the roads and surrounding areas.

14. If your right honourable House does not agree to that proposal, then your Petitioner would ask that the very best measures available are used to overcome the urbanisation effect, for example lowering the line further and ensuring that planting and other mitigation works which fit into the locality are utilised.

Traffic, Noise, Vibration, Dust and Disturbance

15. There will be substantial interference from noise, vibration and increased activity as a result of the work site, excavations, and heavy goods vehicle movements. The environmental statement deposited with the Bill mentions that the average number of daily combined two-way vehicle trips during busy periods and within peak month of activity will be 40 to 90, using the Nash Lee Road and A413 or A4010.

16. The Brewery, its residents, customers and staff will suffer substantial interference from noise, particularly if construction vehicles are allowed to run past the Brewery on Nash Lee Road. Your Petitioner seeks an undertaking that construction vehicles will not be permitted to do so, except in an emergency and that the very best noise mitigation measures will be implemented, to screen the Brewery from the worksites in a way that fits in as best as possible with the surrounding area, and which limits the hours construction vehicles can operate from 7am to
4pm. The Petitioner requests that this confirmation from the Promoter is confirmed in writing before construction.

17. The effect of noise arising from the trains once running is also a serious concern. Your Petitioner asks your honourable House to ensure that the very best noise mitigation measures are employed at this location (taking consideration of the visual impact of those measures).

18. Due to the severity of the potential impact on the A4010, B4009 and A413 connecting the Brewery and the proximity of the project, the Petitioner requests the building of a relief road or bypass to the B4009 prior to the construction project. All construction traffic would then travel along this road thus removing the disturbance, noise, vibration and increased activity away from the Brewery and Terrick residents. This scheme has been raised previously at county level as potential mitigation to the effects of the high speed railway. It is requested that it be implemented.

19. Your Petitioner is concerned about the effects of vibration arising from the construction of the high speed railway and associated development including heavy construction traffic. Your Petitioner is also concerned that the operation of the high speed railway will give rise to vibration. Vibration will severely impact upon the business, and the use and enjoyment of the property by your Petitioner as well as on the neighbourhood’s amenity. The brewing of beer requires static brewing vessels for the quality of its beer and the safety of its employees. Your Petitioner requests that assurance is given that the construction of running of the high speed railway will not cause vibration to the Brewery and its vessels.

20. Your Petitioner requests that the nominated undertaker should be compelled to use best available techniques in the construction and operation of the high speed railway and its associated development to ensure that no vibration can be felt in the property and there are no other adverse effects.

21. Your Petitioner is concerned about dust and dirt produced during construction and operation of the high speed railway and associated development and the effects of this on its property, business activity and environmental quality of the neighbourhood. The brewing of beer requires utmost cleanliness which includes the air quality and an environment free from dust.

22. Your Petitioner submits that, in relation to dust, there should be a precise, comprehensive and binding management plan, with a clearly defined authority for the monitoring of its implementation. Your Petitioner requests that there is a requirement to carry out additional
mitigation if dust becomes a nuisance to your Petitioner's property and the neighbourhood. Your Petitioner submits that provisions should be made to ensure that the nominated undertaker takes responsibility for the reimbursement of your Petitioner for additional expense caused by dust and dirt.

**Light Pollution**

23. Although the ES says that neither of the two nearby worksites will provide overnight accommodation, there will be serious disturbance from light used to illuminate the work sites, the proposed sidings, car parks and access points, and possibly once the railway is operational. As mentioned previously, moving the construction village away from the proposed location would mitigate this problem. Screening and landscaping the area would also mitigate light pollution, which is also requested by the Petitioner.

24. Your Petitioner asks that lighting should be carefully designed so that it is low level and directional and does not result in any light escaping unnecessarily into what is a dark rural area. It should only be used during periods when it is absolutely necessary. Furthermore, your Petitioner seeks an undertaking that neither of the worksites will include overnight accommodation, and that construction activities will cease strictly in accordance with the time limits imposed by the Code of Construction Practice. Your Petitioner asks that the code be amended so that shorter working hours are implemented when daylight hours are fewer.

**Loss of Greenbelt and AONB**

25. The loss of Greenbelt land caused by the new railway line, its bridges and maintenance loops and cuttings are of concern as they urbanise the currently beautiful countryside in which your Petitioner works and lives. Landscaping of the perimeter of the line carried out with the planting of native, locally appropriate and attractive trees with the aim of enhancing and improving the surrounding landscape. The Petitioner requests that this should be carried out by the completion of the project.

**Electricity Supply Disruption**

26. Following recent winter storms, your Petitioner is fully aware of the disruption caused by power failure, even when planned and notified. Electricity is essential in a brewery 24 hours a day, 7 days a week. A power cut, however caused, requires the very costly supply of a generator. Your Petitioner requests that power cuts are avoided, but if absolutely necessary,
then compensation for the provision of an alternative supply would be provided.

**Water Quality and Supply Issues**

27. Water is the primary raw material in the brewing of beer, and its quality and consistency of supply is paramount. Your Petitioner requests that the water supply is not interrupted, but if absolutely necessary, then compensation for the provision of alternative supply is made.

28. Your Petitioner is concerned that the proposed onsite spring water supply at The Chiltern Brewery may be affected by the construction and running of the proposed railway line and seeks assurance that this will not occur. Failing this compensation be made for the loss in water quality.

**Loss of good Agricultural Land**

29. The land through which the proposed railway will pass near the Brewery is first class agricultural land. The railway and the proposed maintenance loop to the north of Nash Lee Road will cut through a number of fields which belong to the local farmer, bringing his farm into a potentially unviable position. He currently takes away all your Petitioner’s spent grains (waste malt) and feeds them to his cattle. Should he be forced to sell the farm then your Petitioner’s costs in removal of its spent grains will be increased significantly. As mentioned previously your Petitioner requests that the maintenance loop be removed from the Greenbelt and AONB boundary to a less sensitive area and would thus leave the farmer’s land unaffected.

**On Trade – Brewery Shop Sales**

30. 55% of your Petitioner’s income is derived from its onsite Brewery Shop. As mentioned earlier, all three roads connecting the brewery; the B4009, A413 and A4010 will be severely affected during the construction period and that will bring unacceptable disruption as well as loss of passing traffic as customers and visitors will abandon the area. Disruption to passing traffic on this scale will have very serious ramifications for the viability of your Petitioner’s Brewery Shop.

31. In 2006 Thames Water upgraded the sewer which runs down Nash Lee Road passing your Petitioner’s Brewery. During pre-consultation your Petitioner was told that construction would take 6 weeks and that traffic would be controlled with traffic lights for most of that period. It transpired that due to difficulties the works took three months and that the road was closed for some of that period. Your Petitioner suffered a 55% drop in its normal income, only part of which they recovered. Your Petitioner fears that similar disruption from HS2 over a much
longer period would result in much greater losses, potentially affecting the viability of your Petitioner’s business, including the employment of staff.

Off Trade – Local Pub Sales

32. A large proportion of your Petitioner’s customers are pubs located off the A413 and your Petitioner is concerned that deliveries to them will be made difficult, and will take much longer, owing to works arising from the construction of the railway.

33. Your Petitioner is also concerned about the wider effect of the works on over 100 local outlets all within 30 miles of the brewery and many of which are local pubs close to or liable to be affected by traffic and other impacts arising from the proposed railway. These include businesses in Wendover, The Lee, Hyde Heath, Great Missenden, Amersham and the Chalfonts. Your Petitioner would urge your right honourable House to ensure that the Promoter does all it can to reduce the impact of the proposals generally on local businesses in the local area, and to provide support to those businesses and local authorities in ensuring that the area is seen to be “open to business” despite the works.

Compensation

34. As a result of the blight and urbanisation caused by the lines, your Petitioners expect that they will face a significant and possibly devastating drop in turnover, and a significant drop in the value of their land and residential property.

35. The proposals in the Bill for compensation are inadequate and your Petitioners would urge your honourable House to make a special case for your Petitioner and require the Promoter to provide compensation to your Petitioner for all losses suffered as a result of the construction and operation of the proposed works, and loss of ensuing value.

36. Furthermore, your Petitioner would request your right honourable House to recommend that your Petitioner should be given full business rates relief during the construction period to help compensate for the downturn in turnover that your Petitioner envisages.

General

37. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.
The prayer

38. The Petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill

AND the Petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for The Chiltern Brewery
18 April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF THE CHILTERNs CONSERVATION BOARD

Declares that:

1. Your petitioners are specially and directly affected by the provisions of the Bill except for
the provisions under the cross-sections "Railway matters" and "the Crown".

Your petitioners

2. Your petitioners are the Conservation Board for the Chilterns Area of Outstanding
Natural Beauty ("AONB") and have been invested by Parliament with a number of
important powers and duties in relation to the interests of the environment and inhabitants
of their area. The Chilterns Conservation Board was established in 2004 by Parliamentary
Order under the provisions of Section 86 of the Countryside and Rights of Way Act 2000
("the CRoW Act") to promote the conservation and enhancement of the AONB.

3. Section 87 of the CRoW Act sets out the purposes of a conservation board:

   a) to conserve and enhance the natural beauty of the area of outstanding natural beauty, and

   b) to increase the understanding and enjoyment by the public of the special qualities of the
area of outstanding natural beauty.

   In fulfilling these purposes, your petitioners has a duty to seek to foster the economic and
social well-being of local communities within the area of outstanding natural beauty.

4. The Chilterns AONB was designated in 1965 for the purpose of conserving and enhancing
the natural beauty of its landscape and its cultural heritage and covers 833 square kilometres.

5. The Chilterns AONB is one of the finest landscapes in England and Wales. The
importance of caring for these special places is enshrined in legislation including the CROW
Act. Section 85 places the following general duty on public bodies:

   "85: (1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority (including a Minister of the Crown) shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty."
6. In addition, the importance of the setting of AONBs is now widely recognised. The Chilterns Conservation Board has published a position statement, adopted June 2011, concerning "Development affecting the setting of the Chilterns AONB".

Your petitioners' concerns

7. Although your petitioners have engaged with the Promoter, given evidence to the House of Commons Select Committee and received limited assurances on a few topics, there are many matters which still cause your petitioner great concern.

8. Your petitioners believe that the Environmental Statement deposited with the Bill ("the ES") fails to adequately assess and report adverse impacts on the Chilterns AONB, its special qualities and its setting. It is also your petitioners’ view that where there are options to avoid or minimise those adverse impacts they have not adequately been taken by the Promoter, and that consequently the Government has failed to demonstrate that it has fulfilled its Section 85 duty. Furthermore, your petitioners believe that the ES has failed to adequately assess and report cumulative impacts.

9. In addition, your petitioners believe that insufficient weight has been given to national planning policy as set out in paragraphs 115 and 116 of the National Planning Policy Framework (NPPF), which state as follows:

"115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated."

10. There are many matters which cause great concern to your petitioners, arising from the major adverse impacts of proposals in the Bill on the AONB and its special qualities. Matters of concern include the impact of construction and operation of the scheme on the landscape, agricultural land and farm businesses, archaeology and cultural assets, ancient woodlands; ecology and wildlife; water environment and resources; community assets; local business and tourism, health and well-being and the reputation of the AONB.
11. It is your petitioners' view that, should the bill proceed with the route along the current alignment, the most appropriate mitigation to protect the internationally designated landscape of the Chilterns AONB would be a fully bored tunnel throughout the AONB.

12. Should proposals for a fully bored tunnel not be accepted, it remains your petitioners' view that the promoter should, as a minimum, adopt the following mitigation measures:

a) provide retained cuttings of sufficient depth to conceal railway infrastructure, reduce visual and landscape impact, afford additional protection to ancient woodlands (Jones's Hill and Jenkin's Wood), reduce impacts on Grim's Ditch scheduled monument and an archaeological notification area, reduce overbridge heights, reduce noise impacts to local communities and the impact of severance on ecological connectivity. Your petitioners note that in the final House of Commons Select Committee report, paragraph 130, the select committee asked the Promoter to consider reducing land take with retained cuttings as a design option; your petitioners support this request;

b) noise barriers should be erected beside the tracks at the base of the cuttings rather than at the top of cutting embankments;

c) provide detailed active hydrological monitoring proposals for sensitive areas of both the Misbourne and Chess catchments, agree prescribed mitigation/alleviation proposals and threshold levels at which these proposals would be automatically and immediately enforced to protect the integrity of the river bed and continuity of flow (paragraph 145 of the final House of Commons Select Committee report asked the Promoter to address the matter of hydrological surveying as a priority);

d) introduce options for under-grounding of overhead lines and improving location and design, such as the new 'T' pylon, to reduce visual and landscape impacts (as considered in paragraph 151 of the final House of Commons Select Committee report);

e) introduce options for converting over bridges to different forms of 'green bridge' to reduce impacts on the landscape, historic sunken lanes, ecological connectivity and improve the experience for the numerous recreational users of the rights of way network;

f) where footpath diversions are required, avoid routes running parallel and in close proximity to the rail route and select links to the remaining rights of way network that improve the user experience and enjoyment;

g) the route should pass Wendover in a bored or mined tunnel to minimise impacts to the local community, users of the Ridgeway National Trail and the rest of the public rights of way network and reduce impacts to the landscape and ecological connectivity.

13. Your petitioners welcome proposals for a Chiltern Review Group and look forward to working closely with the group to positively influence environmental improvements, design of structures and mitigation within the AONB. Your petitioners are, however, concerned that the promoters proposal for funding of up to £3m will limit the implementation of any recommendations the group might make and, therefore, ask that greater funds are made available in recognition of the national designation of the AONB and to cover the costs associated with developing and implementing additional mitigation recommendations.
14. With regard to the Community and Environment and Business and Local Economies fund, the House of Commons Select Committee asked that 'the funding envelope for both funds should be substantially increased' with 'specific allocations to certain communities to avoid a bidding war' (paragraph 350 to the final report). In response, the promoter has committed to increase the total funding from £30m to £40m for the whole of the route. It is your petitioners' view that this increased funding falls far short of the substantial increase called for by the House of Commons and does not offer parity with funding offered for other major national infrastructure developments such as fracking and new nuclear power.

General

15. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of the Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

The prayer

16. The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

SHARPE PRITCHARD LLP
Agents for The Chilterns Conservation Board

18 April 2016
To the House of Lords  
Session 2015-16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF CHILTERN DISTRICT COUNCIL  

Declares that:  

1. The Petitioners are specially and directly adversely affected by the whole Bill.  

Your Petitioners  

2. The Petitioners are the local authority for the District of Chiltern ("the District") and have been invested by Parliament with a number of important powers and duties in relation to the interests of the inhabitants of their area. Amongst other functions of the Petitioners is that of the local planning authority in respect of most types of development, and the Petitioners are responsible for general planning and the preparation of development plans. This includes exercising those functions and duties arising from Acts of Parliament and the National Planning Policy Framework within the Chilterns Area of Outstanding Natural Beauty ("the AONB"), whose designation as such demonstrates the national importance of the area, indeed the Chilterns Conservation Board describes it as "one of the finest landscapes in England and Wales". The Petitioners have a statutory duty to investigate the existence of, and to control nuisances within their area.  

The Petitioners' concerns  

3. The Petitioners are not opposed to the need for high speed rail per se and fully acknowledge the case for strategic improvement to the national rail infrastructure. The Petitioners cannot, however, agree with the scheme proposed in the Bill, because the economic and environmental benefits are not at all credible.  

4. Although the Petitioners have engaged with the Promoter, given evidence to the House of Commons Select Committee, and received a number of assurances on a variety of topics from the Promoter, there are many matters which still cause the Petitioners great concern.  

5. The Petitioners are opposed to the current High Speed rail proposals as they are presently outlined and do not believe that they are in the best interests of the UK as a whole in terms of the benefits claimed. The Petitioners allege that they and their property, rights and interests in their area and the inhabitants and businesses thereof would be injuriously and prejudicially affected by the provisions of the Bill if passed into law in their present form and they accordingly object to the Bill for the reasons, amongst others, hereinafter appearing.  

6. The Petitioners do not believe that all other alternatives to achieve the transport capacity, regeneration and environmental benefits which the scheme is purported to achieve have been fully explored by the Government and with the billions of pounds that are proposed to
be invested, the Petitioners and your right honourable House owe it to the nation to ensure these are fully explored. Whilst the Petitioners acknowledge that the principle of the Bill is established at second reading, the Petitioners' views on the subject are so strong, they must be recorded in this petition.

7. The District is located in Buckinghamshire, close enough to London to contain stations on the London Underground, but also characterised by the great beauty and tranquillity of its countryside. Centres of population include Amersham, Chesham and the Chalfonts. Much of the District is in the AONB and it is entirely within the Metropolitan Green Belt.

8. The Environmental Statement deposited with the Bill ("the ES") fails to recognise the particular importance of the AONB. As well as deriving from its inherent natural beauty, the AONB gains additional significance because of its proximity and accessibility to London, with its growing economy and population and the fact that the part of the AONB that is in the District is also within the green belt. It is the only such area on the periphery of London which has London Underground stations within it. This elevates the AONB to an importance beyond its immediate value – it forms a key part of what makes the south-east of England special and provides a beautiful 'green lung' and area of tranquillity to complement the metropolis close to it.

9. The Petitioners are concerned about the impact of noise from the current proposal (on the AONB in particular) and seek an improvement of the mitigation measures. Excessive noise can have wide-ranging impacts on the quality of human life and health (e.g. owing to annoyance or sleep disturbance), use and enjoyment of areas of value (such as quiet places) and areas with high landscape quality.

10. The strongest attributes of the District include:

(a) it is an area of beautiful countryside, of national importance and treasured locally;

(b) it has a strong agricultural economy which also helps maintain that countryside;

(c) it has a precious ecology, environment and heritage, including ancient woodland;

(d) it is home to around 93,000 people;

(e) it is a popular destination for visitors and businesses;

(f) it contains a wealth of historic villages and farmsteads that contribute to the attractive appearance of the area

11. There are very many matters which cause great concern to the Petitioners, arising from the proposals in the Bill. Some of these points apply generally to the whole length of the line within the District and some of the points are specific to particular sites. The Petitioners are hopeful that many of their concerns can be met by agreement with the Promoter of the Bill. The next section deals with the single most significant mitigation measure, having regard to the Petitioners' concerns.
Part I Extended Chilterns Tunnel

12. The Chilterns AONB was designated in 1965 for the purpose of conserving and enhancing the natural beauty of its landscape and its cultural heritage and covers 833 square kilometres. A large part of the District is taken up by the AONB and it is proposed in the Bill that the railway will be constructed within the AONB between its southerly border, to the north of Chalfont St Giles and your Petitioners' border with the district of Aylesbury Vale. The Petitioners also wish to acknowledge that a number of concerns specifically relating to the AONB landscape and areas of ancient woodland between and including Mantles Wood and Sibley's Coppice have been addressed by AP4 but otherwise your Petitioners' opposition to HS2 is not addressed by AP4. The above ground railway would leave a permanent scar upon the most attractive area in Buckinghamshire. It would create severance and intrusion at odds with the purposes of the AONB's designation. The November 2013 Environmental Statement ("the ES") (Volume 3, route-wide effects) arrives at the fundamentally incorrect conclusion that the effects of the project on the special landscape qualities, natural beauty and landscape character and setting of the wider AONB are "not considered to be significant".

13. It is important to note that the AONB will not just be affected by the permanent railway itself. There will be very substantial construction activities giving rise to significant traffic, noise, dust, air pollution and other harmful effects.

14. As the ES recognises, national planning policy regarding AONBs is set out in paragraphs 115 and 116 of the National Planning Policy Framework (NPPF), which state as follows:

115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated."

15. Furthermore, Section 85 of the Countryside and Rights of Way Act 2000 places a general duty on public bodies as follows: "In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority (including a Minister of the Crown) shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.".

16. As the ES also records, following consultation in 2011, there was a review of a number of long tunnel options for the tunnel under the Chilterns. This review was documented in a
report entitled 'Review of possible refinements to the proposed HS2 London to West Midlands Route' which considered extended twin-bore tunnel options. As a result, additional tunnelling was incorporated into the scheme as part of the announcement made in January 2012, namely the tunnel being extended to the portal at Mantle’s Wood, near Little Missenden. Further consideration was given to longer tunnel options throughout the whole AONB, and as the ES reports, these were discounted. A summary of the options assessment is contained in section 2.6 of volume 2 (CFA9 section) of the ES, and in short it can be said that whilst the Promoter agreed that all the alternative suggestions for a longer tunnel performed better than the Bill scheme in environmental terms, the Bill scheme was preferred mainly on the basis of cost.

17. The Petitioners acknowledge the desire, in the public interest, to reduce cost savings, but this desire has to be balanced carefully against other matters of public interest and be assessed in terms of ‘whole life’ operational costs. In this case, the adverse effect on the AONB and other significant and avoidable impacts lead the Petitioners to the conclusion that the railway should be constructed in a bored tunnel throughout the AONB in the District and that the additional costs of an extension would be justified to address the concerns and issues that arise from the surface route proposed in the Bill.

18. The Petitioners respectfully request that your right honourable House should take the opportunity of examining the proposals for the AONB to determine whether adequate regard has been had to conserving and enhancing the AONB and whether the proposals are appropriate in the light of their impact in the area. The Petitioners also invite your right honourable House to examine the options which were considered by the government in reaching their decision on the route in this area and decide whether the Petitioners are correct in their view that the government’s decision was flawed in the light of the evidence available.

19. The Petitioners request that the Chilterns AONB be protected by extending the bored tunnel which is part of the current proposal to a point beyond Wendover, by way of an extended tunnel, based on the T3i scheme developed in co-operation with HS2 Limited. This extended tunnel proposal has been referred to in the Environmental Statement and accepted by the DfT and HS2 Ltd as both technically feasible and environmentally preferable to the scheme originally promoted. The proposal has been extensively discussed with local councils and action groups and within the local area forums, and is supported by them. The adoption of this proposal, which is jointly submitted and will be presented with others, would substantially remove the adverse effects complained of in the remainder of this petition and the need for most of the proposed remedies otherwise required.

20. The Petitioners further request that when assessing the tunnel options, for the AONB section of the line, the Promoter is instructed to commission and publish a fully independent cost benefit analysis.

Landscape and the AONB

21. The ES acknowledges that the proposed scheme will substantially alter the character of the landscape in the AONB. The Petitioners are clear that the mitigation measures proposed will not sufficiently conserve the special qualities and natural beauty of the AONB. The ES
acknowledges that direct and indirect impacts will remain and that those impacts are considered to be significant by the Promoters.

22. The Petitioners intend to present to your right honourable House material to illustrate the special quality of this part of the AONB and how it would be so damaged by the proposed railway and its associated structures - altered landforms, cuttings, embankments, viaducts, bridges, gantries, security fencing, noise barriers, vent shafts, utility and telecommunication installations, overhead wires, lighting and new/altered roadways and paths. This will go some way to illustrate adverse impacts on the natural beauty of an area which public bodies are required, by law, to have regard to conserving and enhancing. There is, of course, also the intrusion upon the tranquillity of the AONB from the noise of trains themselves.

23. Should proposals for a fully bored tunnel not be accepted then the Petitioners request that the Promoter should, as a minimum, adopt the following additional mitigation measures:

   a) retained cuttings, as recommended in paragraph 130 of the final House of Commons Select Committee report, to afford additional protection to both Jones's Hill and Jenkin's Wood (ancient woodlands), reduce impacts on Grim's Ditch scheduled monument and an archaeological notification area, reduce overbridge heights, reduce noise impacts to local communities and the impact of severance on ecological connectivity;

   b) noise barriers should be erected beside the tracks at the base of the cuttings rather than at the top of cutting embankments;

   c) options for under-grounding of overhead lines and improving location and design, such as the new 'T' pylon, to reduce visual and landscape impacts, as recommended in paragraph 151 of the final House of Commons Select Committee report;

   d) options for converting over bridges to different forms of 'green bridge' to reduce impacts on the landscape, historic sunken lanes, ecological connectivity and improve the experience for the numerous recreational users of the rights of way network;

   e) where footpath diversions are required, avoid routes running parallel and in close proximity to the rail route.

   f) the route should pass Wendover in a bored or mined tunnel to minimise impacts to the local community, users of the Ridgeway National Trail and the rest of the public rights of way network and reduce impacts to the landscape and ecological connectivity.

Part 2 Other Concerns

Chiltern AONB Review Group

24. The Petitioners welcome proposals for a Chiltern AONB Review Group and look forward to working closely with the group to positively influence environmental improvements, design of structures and mitigation within the AONB. The Petitioners are, however, concerned that the Promoter’s proposal for funding of up to £3m will limit the
implementation of any recommendations the group might make and, therefore, ask that greater funds are made available in recognition of the national designation of the AONB for mitigation and additional funding is also provided to support and fund the work of the group.

**Great Missenden Haul Road**

25. The Petitioners are concerned that the Promoter has proposed a temporary construction route from the A413 to the Frith Hill Tunnel portal that requires a diagonal cutting clearly visible from Great Missenden and elsewhere across the valley. The Petitioners are concerned that this will represent a significant adverse visual impact for this area of the Misbourne valley which is used widely by local residents and tourists in the AONB. The Petitioners continue to support the extension of the Chiltern tunnel further north and would note that one benefit of moving the north portal northwards would be the opportunity to re-consider the most appropriate location for haul road(s) in the AONB.

26. If this cannot be provided, the Petitioners understand that the Promoter has offered an assurance to Buckinghamshire County Council that provides for an option to construct an alternative haul road whose alignment is further north along the A413. While the Petitioners welcome this development, they are concerned by the conditional nature of the assurance, particularly the requirement that the county council would have to secure all necessary powers and permissions. Clearly, this would result in the county council incurring costs. The Petitioners therefore support the county council, their local highway authority, in their attempt to ensure that any additional costs are met by the Promoter.

**Chalfont St Peter haul road**

27. The construction compound at the Chiltern Tunnel portal in the Colne Valley area will adversely impact the residents of Chalfont St. Peter. The A412/North Orbital is accessed by residents through either West Hyde Lane/Chalfont Lane or Rickmansworth Lane/Hornhill Road to Watford, Rickmansworth and the M25. Chalfont Lane offers a direct route to both Harefield and Mount Vernon Hospitals.

28. The proposed scheme would close Chalfont Lane and build a temporary road across the fields to join Hornhill Road which is a narrow twisty lane with passing places. The Petitioners believe that the junction of these two lanes will be extremely dangerous. This diversion could also lead to traffic using Roberts Lane, a narrow residential lane, instead.

29. The Petitioners fully support the county council and Chalfont St Peter Parish Council's request that the Bill be amended to require the Promoter not to build this temporary new road and that all the traffic should use Rickmansworth Lane/Hornhill Road to access the A412.

30. The Parish Council have presented their evidence for a haul road from the rear of the vent shaft site joining with the A413 and your Petitioners support it and are aware that the highway authority supports it as well.

31. The Petitioners also request that the junction of Roberts Lane/West Hyde Lane be closed to protect the residents from vehicles using the route to cut through. The Petitioners further request that construction lorries be prohibited from using these lanes.
Community and business impacts

32. Unless the extended tunnel advocated by the Petitioners is included as part of the works authorised by the Bill, there will be severe impacts on community facilities and businesses within the District during both the construction period and operation of the railway.

33. The Petitioners request your right honourable House requires the Promoter to provide a tunnel and, failing that, to offer appropriate mitigation to minimise the impact on the AONB and the community by proposals that will be presented to your right honourable House.

34. With regard to the Community and Environment and Business and Local Economies fund, the House of Commons Select Committee recommended that 'the funding envelope for both funds should be substantially increased' with 'specific allocations to certain communities to avoid a bidding war' (paragraph 350 to the final report). In response, the Promoter has committed to increase the total funding from £30m to £40m for the whole of the route. It is your Petitioners' view that this increased funding falls far short of the substantial increase called for by the House of Commons and does not offer parity with funding offered for other major national infrastructure developments.

Local Authority Costs

35. Clauses 20 to 24 of and Schedule 17 to the Bill put in place an alternative regime for planning permission, overriding many of the controls ordinarily operated by the Petitioners as local planning authority. The Petitioners are concerned that this process, supplemented by the Environmental Minimum Requirements, does not give the Petitioners as a local planning authority significant time to make proper decisions on what may be very significant items of development, including stations and depots. As such the Petitioners seek an undertaking from the Promoter that in respect of specified significant development proposals (including all stations and depots, and any proposals that will be subject to public consultation and consideration by your Petitioner's planning committee) the relevant determination period shall be 13 weeks.

36. The Petitioners have similar concerns that the technical approvals process as proposed in the Bill and its supporting documents, which allows for 28 days for approvals, does not give the Petitioners as a relevant local authority sufficient time to give appropriate consideration to what may be highly complex approvals. The Petitioners seek an undertaking that complex items of work will be subject to approval periods longer than 28 days, such periods to be agreed with the Petitioners.

37. As part of the alternative consent regimes, the Petitioners must be able to recover from the Promoter of the Bill or the Nominated Undertaker their full costs of processing applications. The Petitioners note that the Bill provides the Secretary of State with the power to make an order relating to the payment of fees to the local planning authority in respect of requests for detailed planning consent. Warwickshire County Council is leading on this route-wide issue. The first draft of a new Service Level Agreement has been produced by the Promoter but the local authorities do not consider that it will adequately cover all their reasonable costs in fulfilling their duties to such a major and lengthy development. Your Petitioners request that the local authorities’ reasonable and properly incurred costs incurred in fulfilling these duties will be covered by the Promoter and fully support the case that Warwickshire County Council will present on this issue.
Clause 48

38. Despite amendments to clause 48 having been made in the select committee and on consideration stage of the House of Commons, the Petitioner continues to have concerns about it. Subsection (1) provides the Secretary of State with power to acquire land compulsorily if he considers that the construction or operation of Phase One of High Speed 2 gives rise to the opportunity for regeneration or development of any land. The Petitioners do not understand why subsection (1) is required at all and believes that it should be removed from the Bill. There are already adequate powers of compulsory acquisition in other legislation, notably the Town and Country Planning Act 1990, to enable compulsory purchase powers to be exercised by local authorities. This power is unqualified, meaning there is nothing in the Bill that would ensure it is only used as a matter of last resort, and the Petitioners are concerned that the existence of this power significantly undermines its own role in promoting the regeneration of its own local authority area. The Petitioners do not understand why clause 48(1) is required at all and believe that it should be removed from the Bill or be disapplied from its area.

The prayer

39. The Petitioners therefore asks the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioners remain, etc.

SHARPE PRITCHARD LLP
Agents for Chiltern District Council
18 April 2016
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF SILKLINK LIMITED

Declares that:

1. The petitioner is specially and directly affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

2. The petitioner is Silklink Limited. It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of the petitioner, to which it objects, and in accordance with the standing orders of your honourable House notice has been served on the petitioner of the intention to seek such compulsory powers.

3. Amongst the property owned by the petitioner is the Grimstock Country House Hotel ("the Hotel"), and land forming part of the hotel is subject to compulsory acquisition under the Bill, together with some other land, described as agricultural land in the book of reference, which is situated to the rear of the hotel, and which has potential development value.

4. The petitioner alleges that its rights, interests and property will be injuriously and prejudicially affected by the provisions of the Bill if passed into law in their present form, and the petitioner accordingly objects to the Bill for the reasons, amongst others, hereinafter appearing.

Outstanding issues

5. One of the petitioner’s directors is Mr Morteza Vakil. Mr Vakil has run the Hotel as a country house hotel business for many years. The hotel offers 44 bedrooms, four conference rooms, a garden and à la carte restaurants, a function room and Gymnasium. There are over 40 full and part time staff employed in the business. The hotel caters for a wide range of family and business functions for up to 120 delegates. Weddings and other functions are booked up to three years in advance. There is a wide range of catering on offer, a licensed bar and secure parking. The hotel grounds provide a quiet haven from the surrounding busy road network, and that is one of the reasons why the Hotel hosts so many weddings and other functions.

6. The petitioner appeared before the select committee of the House of Commons on two occasions, asking that the promoter be required to acquire the hotel on compulsory purchase terms. In its final special report the committee found in favour of the petitioner by saying, at paragraph 58:

“...the owner of the Grimstock Hotel in Gilson is nearly 70 and wishes to make retirement plans. The project will not intrude that severely on the property physically, but we heard that the business is suffering detriment. The Promoter would incur the cost of an element of compensation for this business in any event. A disputed claim would incur legal fees. Both the owner and the hotel
employees deserve some certainty. We have directed acquisition of the hotel. The Promoter can sell it on or run it as a going concern, possibly with the owner as a consultant.”.

7. It goes without saying that the petitioner was very satisfied and grateful about this outcome. The remaining outstanding issue is the putting into effect of the decision. So far, the petitioner has not received any heads of terms for consideration, and Mr Vakil is anxious to ensure that agreement on heads of terms, at the very least, is secured before the end of the petitioning process in your right honourable House and that agreement is progressed without delay. Although the Petitioner sincerely hopes not to have to do so, it may need to ask the select committee of your right honourable House to impose further requirements on the promoter to progress the necessary agreement.

The prayer

8. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for Silklink Limited

18 April 2016
PETITION against the
High Speed Rail (London – West Midlands) Bill

THE PETITION OF HAMMERSMITH AND FULHAM LONDON BOROUGH COUNCIL

Declares that:

1. The petitioner and its property, rights and interests in its area and the inhabitants of its area would be injuriously and prejudicially affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

The petitioner

2. The petitioner is the local authority for the London Borough of Hammersmith and Fulham (“the Borough”). It was established by the London Government Act 1963, which also conferred important powers and duties upon the petitioner. Numerous enactments since that date have added to the petitioner’s statutory powers and duties. It is the local planning authority for most of its area and is, therefore, responsible for general planning and preparation of location plans. It is also the local highway authority and has other powers and duties in relation to activities of public concern including housing, public health, recreation, civic welfare and amenity and the economic well-being of the area. As such the petitioner is responsible for the protection of its property, rights, security and interests and those of the citizens, inhabitants and ratepayers of the Borough as a whole.

3. The Bill would authorise the compulsory acquisition of certain interests in land or property of the petitioner, to which it objects, and in accordance with the standing orders of your right honourable House, notice has been served on the petitioner of the intention to seek such compulsory powers.

Wormwood Scrubs: outstanding points

4. The Petitioner received a number of assurances from the promoter during the passage of the Bill through the House of Commons and as a result there are only two outstanding points remaining. Both relate to Wormwood Scrubs, and both should hopefully be resolved without the petitioner needing to appear before the select committee of your right honourable House. Wormwood Scrubs is an important area of public open space in the Petitioners' area which is owned and controlled by the Petitioner.
5. As regards the first issue, the Environmental Statement deposited with the Bill identifies (Volume 2: Community Forum Area Report 4: Paragraph 7.4.19) a significant area of land in the south of Wormwood Scrubs Common as a "compensatory area of new wetland planting". The proposal appears to be included in order to provide mitigation for significant ecological effects from elsewhere along the HS2 construction corridor.

6. The creation of a wetland habitat would result in loss of valuable recreational space at one of the most well used sections of Wormwood Scrubs adjacent to its two largest car parks. It would act as a barrier to users who access the Scrubs from Hammersmith Hospital and the south and would make it more difficult to access the numerous recreational activities that operate in this area of the Scrubs, including baseball, football, weekend park runs and cross country running and would cut them off from the facilities in the Linford Christie Stadium.

7. The area that is intended to be replaced already contains important species and habitat which would be lost if replaced with the proposed compensatory wetland area. The mitigation measures proposed are inadequate, because they would not provide a new area of habitat at all but instead impose a new wetland area on Scrubs land that is already ecologically rich and well used for recreation.

8. The second issue is about the use of land in Wormwood Scrubs for the realignment of Stamford Brook sewer. According to the Supplementary Environmental Statement that accompanied Additional Provision 4 in the House of Commons, the diversion route of the sewer is to be carried under the future Crossrail depot, and beneath the Intercity Express Programme (IEP) depot, into Wormwood Scrubs. It says that the sewer tunnel under the IEP depot will be constructed using thrust-bore techniques, the rest (presumably including the section in Wormwood Scrubs) being constructed by trenching. A new satellite construction compound will also be located within Wormwood Scrubs. Five new permanent manholes will be constructed within Wormwood Scrubs along the line of the new sewer.

9. Agreements are in the process of being negotiated between the petitioner and the promoter about both issues. In relation to the first, the agreement would result in the proposals for ecological mitigation as proposed in the Bill being altered significantly, with alternative ecological mitigation works being carried out by the petitioner and the petitioner being fully reimbursed by the promoter for doing so. In relation to the second issue, the agreement would assist in mitigating the impact of the sewer works on users of the Scrubs and on the ecology.

10. The agreements should be completed before the petitioner is due to appear before the select committee of your right honourable House. But in the eventuality that they are not, the petitioner may appear and ask that the promoter be required to enter into satisfactory arrangements on both counts, or (as regards the first issue) that the Bill be amended so as remove plots 77 and 78 in the Petitioners’ area from the Bill limits and to require the Promoters of the Bill to refrain from using any area of the Scrubs for any purpose unless they have the agreement of the petitioner. As regards both issues, in the absence of agreement being reached, strict conditions should be imposed on the nominated undertaker in relation to the construction of the works, including ensuring access to the Scrubs is maintained from current access points, restricting the amount of land taken, minimising the period of closure to the public, carrying out ecological surveys, providing detailed method statements to be agreed with the Petitioners, providing details of how the impacts will be mitigated and monitored and returning the Scrubs to a satisfactory condition in agreement with the petitioner and at no cost to the petitioner.
The prayer

11. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for Hammersmith and Fulham London Borough Council

18 April 2016
To the House of Lords  
Session 2015-16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF THE HILLINGDON LONDON BOROUGH COUNCIL  

Declares that:  

1. The petitioner and its property, rights and interests in its area and the inhabitants of its area would be injuriously and prejudicially affected by the provisions of the Bill except the provisions under the cross-headings "Railway matters" and "the Crown".  

The petitioner  

2. The petitioner is the local authority for the London Borough of Hillingdon ("the Borough"). It was established by the London Government Act 1963, which also conferred important powers and duties upon the petitioner. Numerous enactments since that date have added to the petitioner's statutory powers and duties. It is the local planning authority and is, therefore, responsible for general planning and preparation of development plans. It is also the local highway authority and has other powers and duties in relation to activities of public concern including housing, public health, recreation, civic welfare and amenity and the economic well-being of the area. The petitioner is also a lead local flood authority. As such the petitioner is responsible for the protection of its property, rights, security and interests and those of the citizens, inhabitants and ratepayers of the Borough as a whole as well as having a duty to protect and conserve the environment.  

3. The Bill would authorise the compulsory acquisition of certain interests in land or property of the petitioner, to which it objects, and in accordance with the standing orders of your right honourable House, notice has been served on the petitioner of the intention to seek such compulsory powers.  

Colne Valley Tunnel  

Colne Valley Tunnel: introduction  

4. The proposed route for HS2 is in tunnel crossing the eastern boundary of the Borough until it emerges at Ickenham High Road, West Ruislip. It would then go overland as it travels through Ickenham westwards towards the Colne Valley, where, on a viaduct, ("the Viaduct") it would cross the Grand Union Canal, Mid Colne Valley Site of Special Scientific Interest, the River Colne and a number of lakes in the valley.  

5. The petitioner submits that the proposal to carry the railway overground through the area between West Ruislip and the M25 will give rise to disproportionate and serious adverse environmental, economic and social impacts which include: -  

(a) A viaduct nearly 4km long will extend across the Colne Valley which includes in this location, a site of special scientific interest, regional nature conservation sites, a diverse range of recreational facilities and a landscape of unique value to London and neighbouring authorities.
(b) A noise profile akin to Heathrow Airport that crosses the western part of the borough including the tranquil Colne Valley.

(c) Construction traffic that will clog up the arterial routes to the major urban and suburban conurbations of Ruislip, Ickenham and Harefield.

(d) Additional adverse air quality impacts in areas already exceeding EU limit values.

(e) Closure of two public community golf courses, the loss of Hillingdon Outdoor Activity Centre, a net reduction in recreational facilities, and significant harm to a number of outdoor recreational clubs.

(f) Constrained rights of way and long term negative impacts.

(g) A landscape that will be fundamentally altered through the dumping of material, with mitigation not taking effect for a further 15 years.

(h) General blight and harm to a significantly sized and populated area which will result in less investment and less growth.

(i) As yet, there are unknown requirements for legacy maintenance and management of considerable areas of new planting on land currently used for agriculture.

6. The petitioner respectfully submits that the cumulative effect of all these adverse impacts justifies an extension to the West Ruislip tunnel to the west of the Colne Valley instead of the proposed overland route. The petitioner therefore respectfully asks your right honourable House to amend the Bill so that provision is made requiring the construction of a tunnel to carry the railway through the Colne Valley.

7. The promoter has confirmed that the tunnel is feasible in engineering terms and will not significantly alter the construction programme. The principal reason for a tunnel being dismissed is based on cost. However, it is the petitioner's respectful submission that the costs of both the surface proposal and tunnel options were not adequately explored and presented to the House of Commons Select Committee when it considered the case for the tunnel. This point is emphasised in paragraph 11 below.

8. The petitioner maintains that a suitable tunnel option exists. Subsequent work by HS2 Ltd in relation to the Colne Valley and Hillingdon has resulted in increased mitigation costs for the Bill Scheme and it is evident the tunnel costs are not so great, in the petitioner's opinion, as to outweigh the extent of environmental and social harm.

9. The petitioner further maintains that a tunnel option represents a significant improvement to the HS2 scheme for the following reasons:

(a) It would reduce or entirely remove the need for the proposed temporary construction railhead at Ickenham, meaning that the excavation of the Copthall Cutting may not be required, obviating the need for spoil dumping on open land in the Borough.

(b) It would significantly reduce the amount of agricultural land impacted from nearly 150 hectares to less than 25 hectares. The figure could be further reduced depending on which tunnel option is advanced.

(c) It could remove the need for the Harvil Road construction site, which is to be located in the
green belt, where permission for such a facility would normally be refused for not meeting national and local policies.

(d) It would not require the construction of the 4 km long Colne Valley viaduct over the lakes. The viaduct will be a permanent feature that will harm the tranquillity, landscape and recreational value of the Colne Valley. It would also have significantly reduced ecological impacts in the Colne Valley, including on a nationally designated site of special scientific interest (SSSI).

(e) It would remove the need for the permanent West Ruislip tunnel portal and the associated significant noise arising from construction and the attenuation measures that aim to reduce, but not remove, operational noise impacts.

(f) It would significantly reduce the operational noise impacts in the Colne Valley and across the Borough. It would allow the Colne Valley in this area to retain an attractive and appealing environment, to be enjoyed by thousands of people.

(g) It would also generate substantially fewer construction noise impacts expected to last for 7 years.

(h) It would enable a range of valuable and much loved community facilities to be retained, in their current state, including the Hillingdon Outdoor Activity Centre (HOAC) Ruislip Golf Course, Uxbridge Golf Course, Harefield Lake 2 and the Harrow Angling Society and the Uxbridge Rovers Angling and Conservation Society.

(i) A tunnel would significantly reduce diversions to public rights of way and remove the interface between existing well used rights of way and intensive construction sites.

(j) It would remove thousands of lorry movements on local roads through Ickenham, Harefield and Ruislip and at the A40 Swakeleys roundabout, thereby reducing disruption to local journeys, disruption to town centres and local shopping parades and loss of new business investment within the area. It would also not result in a worsening of air quality in areas already exceeding minimum EU limit values for air quality.

(k) It would reduce the need to compulsorily acquire extensive areas of land and property in the Borough, thus reducing the impacts on individuals and also the need for any associated compensation measures.

(l) A tunnel option would have negligible socio-economic impacts and allow business and communities to continue to function as they currently do. A surface scheme would have severe consequences for local businesses that have not been adequately acknowledged or assessed by HS2 Ltd.

(m) It would end the blight that has overshadowed the Borough since 2010, by assuring many residents about house prices and their quality of life, thereby greatly relieving local residents and businesses from the considerable stress that the proposals are imposing on them.

(n) It would not compromise the Council in its ability to fulfil its statutory duties as education and social services authority, as a provider of leisure and recreational facilities and under the Equalities Act 2010 regarding special needs provision.
Colne Valley tunnel: costs

10. The petitioner considers that the promoter’s assessment of the costs for the tunnel, so far as have been disclosed, include costs that are exaggerated and include some significant items which in the petitioner’s opinion are not required. Furthermore, the Promoter’s assessment of costs associated with the surface scheme, so far as have been disclosed, are not complete and contain some significant omissions. For example, no costs have been accounted for in relation to the relocation of HOAC (£30m+), costs associated with a wide range of ecological mitigation and its management and maintenance over time (£60m+), compensation and property costs (£80m+) and finally, and importantly, the huge amount of socio-economic impacts (££100m+) that were not considered at all by the promoter.

11. The petitioner considers that a more comprehensive assessment of the options would show that the costs of the tunnel are significantly less than those previously assumed by the promoter and the petitioner respectfully submits that the additional cost of a tunnel (if any) would be completely offset by the corresponding reductions in environmental, economic and social harm to thousands of people in the Borough of Hillingdon.

Traffic Mitigation

12. There will be a serious and long term impact on traffic congestion in the Borough as a result of the proposals in the Bill, and this was acknowledged by the select committee of the House of Commons. The impact will be felt most at the Swakeleys Road roundabout at the junction of that road with the A40. This junction and the surrounding roads are already heavily congested at peak times and even if the promoter’s most optimistic forecasts are met, an additional construction vehicle every 27 seconds could be added.

13. The promoter has provided assurances to the petitioner, and as a result it is carrying out further work in the Borough to see what measures could be introduced to mitigate the traffic impacts. Whilst this is helpful, and the results of the promoter’s study are awaited keenly, the construction impacts, and associated air quality problems, are still likely to be at a sufficiently high level to pose an unacceptable burden on a road network that is simply not designed to accommodate them.

14. Aside from the Colne Valley tunnel option described above, the only other alternative solution would be for HS2 Ltd to increase significantly the volume of material to be transported by rail instead of road or otherwise to alter significantly the construction methodology or programme. The Bill as presented does not provide any suitable solutions to remedy the concerns raised by the House of Commons Select Committee or those of the Council and its Residents.

15. If the select committee of your right honourable House is not minded to agree to the Colne Valley tunnel proposal, and the studies referred to above do not result in a significantly improved set of mitigation measures, then the petitioner will ask that the promoter be required to implement additional and significant measures to mitigate the impact of construction traffic in the Borough.

Hillingdon Outdoor Activities Centre

16. Hillingdon Outdoor Activities Centre ("HOAC") has been operating on land owned by the petitioner since 1990 and since 1992 as an outdoor and environmental youth education charity. It now provides leisure and educational activities for some 22,000 users each year from a wide range of geographical areas and backgrounds. Many of HOAC’s activities are water-based and are carried out on Harefield No.2 Lake in the Colne Valley Park. Hillingdon Rowing Club is also based at HOAC.
17. HOAC will have no option but to close during the construction of the works authorised by the Bill and HOAC consider they will not be able to return afterwards. The closure of the site will result in the loss of staff and its customer base. As mentioned above, the tunnel option would enable HOAC to remain in use and be totally unaffected both during the construction of HS2 and thereafter.

18. As regards alternative solutions, the select committee of the House of Commons made clear their sympathy for HOAC’s case, and in its final special report said that subject to planning approvals being obtained in sufficient time, the Committee would wish to see HOAC relocated to the Denham Quarry Site, if HOAC decide that that is preferable to staying put. The petitioner is aware that progress has been made in delivering the Denham Quarry site but as of yet, no planning application has been submitted and the suggested costs of a relocation are considerable. The delivery of HOAC to the new site has not been formally secured and there is no alternative arrangement should the proposals fall through.

19. Furthermore, it should be noted that the Denham Quarry site was proposed for restoration to a recreational facility. Without HS2, there would have been two complementary recreational facilities in the Colne Valley. HS2 therefore results in a net reduction in recreational facilities.

20. The petitioner therefore remains concerned that despite the best efforts of the promoter and the planning authorities in Buckinghamshire, the alternative proposals may not come to fruition in time, and even if HOAC does move to Denham it may not be to facilities at the same standard as enjoyed at present. The petitioner may therefore ask your right honourable House to require further commitments from the promoter in this regard.

Landscape and ecological mitigation, including the area at the Harefield National Grid Station

21. There will be adverse impacts on a number of the petitioner’s land holdings including at Park Lodge Farm. Despite the assurances offered to date, the proposals are at a relatively early stage and there is no clarity about the proposed mitigation that will be offered, for example, within the vicinity of the Harefield National Grid Station site. The petitioner may therefore ask your right honourable House to require further commitments from the promoter in this regard.

Mitigation funding

22. As mentioned above, considerable disruption will be caused to a number of public amenities in the Borough. These will include the carrying out of works which will lead to the temporary closure of Uxbridge and Ruislip golf courses, and their permanent reconfiguration and reduction in size, the relocation of HOAC to another local authority area, interference with public rights of way, and disruption of other community facilities.

23. The petitioner will not, under the terms of the national compensation code, be adequately compensated for the community losses, and the Promoter has recognised this. As a result, the Promoter offered a sum of money to the petitioner to compensate for this, shortly before the appearances in respect of additional provisions 2 and 4 before the House of Commons select committee. The petitioner maintains that the offer was unsatisfactory and would not have allowed for the reinstatement of the above mentioned facilities without considerable recourse to the petitioner’s own resources. The petitioner therefore asks your right honourable House to require the promoter to provide a sum in compensation that properly addresses the loss to the amenity and on acceptable terms.
The Community and Environment Fund and the Local Economy Fund

24. Given the wider social, environmental and economic impacts of HS2 in the Borough, the petitioner is concerned that its residents and businesses will not be able to satisfactorily access the funds that have been set aside on a route-wide basis (i.e. the Community and Environment Fund and the Local Economy Fund). The petitioner has concerns that the amount of the these funds (£40 million) may not be sufficient to cover the number of bids and that the funds may go to those less affected by HS2 than residents and businesses in the Borough because the Promoter has not accepted the recommendation of the Commons Select Committee to ring fence the funds on a geographical basis.

General

25. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of the petitioner and other clauses and provisions necessary for its protection and benefit are omitted therefrom.

The prayer

26. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for the Hillingdon London Borough Council

18 April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF LICHFIELD DISTRICT COUNCIL

Declares that:

1. The petitioner and its property, rights and interests in its area and the inhabitants of its area would be injuriously and prejudicially affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

2. The petitioner is the local authority for the District of Lichfield and has been invested by Parliament with a number of important powers and duties in relation to the interests of the inhabitants of their area. Amongst other functions of the petitioner is that of the local planning authority in respect of most types of development, and the petitioner is responsible for general planning and the preparation of development plans.

A38 Junction at Hilliard’s Cross

3. The petitioner is concerned about the impact that the proposed HS2 HGV construction traffic will have on the efficiency of the A38 Hilliard’s Cross junction with Wood End Lane. The junction serves as the principal entry and exit point to a major employment site, Fradley Business Park and also links to a local road network serving Fradley village. The Secretary of State is the highway authority for the A38 at this location and Staffordshire County Council is the highway authority for Wood End Lane. The petitioner has concerns, in particular, about the impact of HS2 construction traffic on congestion and also shares the concerns of the Highway Authorities about the safety of the layout of this junction.

4. The petitioner considers that the temporary signalisation proposed by the promoter will be insufficient to address the congestion that will result here as a consequence of HS2 construction. Further, it appears that signalisation could present a risk of queuing back onto the local highway network from both the northbound and southbound slip roads. Highways England are also concerned about the congestion impacts and their own modelling shows that the mitigation proposed by the promoter will be insufficient. That modelling assesses the junction as a whole and takes account of impedance accessing the A38.

5. The government has announced that authorisation for the section of route from Handsacre to Crewe is to be accelerated so that it will open in 2027, six years earlier than planned. Mitigation for the Hilliard’s Cross junction must be considered in the light of the impacts from Phase 1 and Phase 2a, as they will be occurring consecutively and possibly overlapping for up to ten years. The petitioner considers that the Promoter should be required to make any improvements at the junction permanent, rather than temporary, given the length of time which they are planned to be in place.
6. The petitioner asks that the promoter be required, in discussion with the petitioner, Staffordshire County Council and Highways England, to develop and implement an improved junction layout before the main HS2 construction works commence at this location. This work must start immediately, and if as a result it is concluded, as the petitioner considers it might be, that the only acceptable solution would require works that are not within Bill powers, and the improvements are not taken forward in an additional provision, then the Promoter should be required to fund the implementation of the improvements, and co-operate with the highway authorities and the petitioner in their implementation.

General

7. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of the petitioner and other clauses and provisions necessary for its protection and benefit are omitted therefrom.

The prayer

8. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for Lichfield District Council

18 April 2016
PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF LICHFIELD CRUISING CLUB (2000) LIMITED

Declares that:

1. The petitioner is specially and directly affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

The petitioner

2. The petitioner is Lichfield Cruising Club (2000) Limited. It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of the petitioner, to which it objects, and in accordance with the standing orders of your honourable House notice has been served on the petitioner of the intention to seek such compulsory powers.

3. The petitioner is the freeholder, leaseholder and occupier of land adjoining the Coventry Canal and the Wyrley and the Wyrley and Essington Canal spur at Huddlesford, Lichfield in the county of Staffordshire. The registered address is Canal Cottage, Huddlesford Junction, Lichfield, Staffordshire WS13 8PX.

4. The petitioner runs the Lichfield Cruising Club which is the name of the not for profit organisation which provides a home for narrow boats, used for social, domestic and leisure purposes.

5. The Cruising Club has moorings for up to 80 vessels together with slipway and dry dock facilities, car parking, a club house and some fields used in connection with the club.

6. The Cruising Club have installed a concrete slipway and dry dock area which is used for its members but also other paying guests. This is a very useful facility and allows members to maintain and repair their boats in a cost effective manner. The car parking area also allows your petitioner to bring cranes to site to hoist boats off the dry dock and onto heavy goods vehicles for transportation elsewhere in the country. Again, this is an immensely useful and valuable facility.

7. The works authorised by the Bill on the petitioner’s land will result in the closure of the dry dock facility and car park. It follows that once the railway is built, it will no longer be possible to position cranes to hoist vessels out of the water into dry dock and onto vehicular transport. Also, at least 16 moorings will be lost and it is anticipated that other vessels will leave as the areas becomes less attractive.

Outstanding issues

8. The petitioner appeared before the select committee of the House of Commons, asking that the promoter be required to relocate the facilities that will be affected by the works authorised by the Bill, and to do so in compensation terms under the principle of equivalent reinstatement. The
petitioner has suggested an alternative location near to the existing premises. In its final special report the committee found in favour of the petitioner by saying, at paragraph 53:

"The Lichfield Cruising Club has facilities on the Wyrley and Essington Canal but will require replacement hard standing provision because of the HS2 works. AP2 exacerbates the impact. We found the Club's requests to be reasonable. Subject to satisfactory audits we expect the Promoter to fund replacement accommodation.”.

9. It goes without saying that the petitioner was very satisfied about and grateful for this outcome. The remaining outstanding issue is the putting into effect of the decision. So far, the petitioner has not received any communications from the promoter about the implementation of the decision. The petitioner is anxious to ensure that formal agreement is secured before the end of the petitioning process in your right honourable House. Although the Petitioner sincerely hopes not to have to do so, it may need to ask the select committee of your right honourable House to impose further requirements on the promoter to progress the necessary agreement.

The prayer

10. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP

18 April 2016
To the House of Lords  
Session 2015–16  

PETITION against the  

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL  

THE PETITION of MAPLE FINE FOODS LIMITED  

Declares that –  

1 Your Petitioners are specially and directly adversely affected by the whole Bill except the provisions under the cross-headings "Railway matters" and "the Crown".  

Your Petitioners  

2 Your Petitioners are Maple Fine Foods Ltd and are located on Atlas Road, London, NW10 6DN.  

3 Your Petitioners are the freeholder of the Maple Fine Foods' warehouse and premises and they are mentioned in the Book of Reference as owner of plot AP2-22. In addition, they are mentioned as an occupier of plots AP2-23, AP2-24, AP2-27, 118a and 120a. Each plot is in the London Borough of Ealing in Greater London.  

4 It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of your Petitioners and notice has been served on your Petitioners of the intention to seek such compulsory powers.  

5 Your Petitioners and their rights, interests and property are injuriously affected by the Bill and they accordingly object to the Bill for reasons amongst others, set out below.  

Background to your Petitioners' business  

6 Your Petitioners are a long standing, well established, family run business who have operated from within the Park Royal area for over 23 years, contributing to the development and regeneration of the area.  

7 Your Petitioners produce and supply an extensive range of specialist halal, vegetarian, Caribbean, African, Arabic, kosher and Oriental meals. Their meals have been specially designed in conjunction with NHS dieticians and speech and language therapists for multicultural NHS patients and include dysphagic ranges designed for patients with swallowing difficulties, for example, stroke patients.
Your Petitioners place great emphasis on the development and innovation of their meals and also the technology behind manufacturing, packing, storing and distributing them. Owing to this, your Petitioners operate from bespoke premises which were chosen for their location and designed to meet your Petitioners’ specific needs.

Your Petitioners are currently located on an enclosed, one acre site within a 30,000 sq. foot, high specification, food production facility. When your Petitioners purchased the site it was intended to be for the long-term and, from the outset, your Petitioners saw the further development of the site, into residential use, as part of the long-term vision for their business. Your Petitioners have operated from their current premises for 12 years and finding a similarly suitable location would be difficult. Your Petitioners consider their present site to be the ideal location; however they appreciate that as a result of the Bill they will have to relocate. This is not a prospect they welcome and only wish to entertain it if there is no other option.

Some problems

Your Petitioners understand that, during the construction phase of the railway, the area surrounding their premises is proposed to be used as a transportation link to Old Oak Common Road and as a lorry park. The proposed compulsory acquisition of your Petitioners’ property will have a severe and detrimental effect on your Petitioners’ business which is liable to be unable to continue in its current location as a result of the proposals. In any event, it is clear that construction works would bring about major disturbance to your Petitioners’ business. As a manufacturer of specialist meals, the surrounding environment is critical and certainly not compatible with the environment of a large-scale construction site.

The closure of your Petitioners’ premises either permanently or temporarily would result in significant losses as your Petitioners would be unable to meet their contractual obligations with various bodies (including the NHS) to supply meals and, in these circumstances, they would also certainly be liable to pay liquidated and ascertained damages. Moreover, your Petitioners’ ability to enter into further similar agreements would be severely compromised in these circumstances.

The ongoing uncertainty surrounding the future of your Petitioners’ business, which is entirely a result of the Bill, means they are reluctant to seek further opportunities for large scale contracts similar to those they presently service.

Your Petitioners have explained to the Promoter that any relocation is likely to be a lengthy exercise. It is considered that once a self-contained, local and suitable site for food manufacture has been identified it will take up to 2 years to obtain the necessary permissions (including planning) and to then refurbish and design the premises and bring them up to British Retail Consortium (“BRC”) standards. They have also explained the nature of their current contractual commitments which broadly require your Petitioners to prepare and supply foods to clients for a number of years.
Relocation

14 Your Petitioners have explained to the Promoter that, as a business supplying specialist meals to the NHS, they must operate from specialist premises designed to specific standards. If your Petitioners are required to relocate to other premises, any new premises will, as a minimum, have to be refurbished to the current premises’ levels which satisfy the BRC standards.

15 As a well-established local company with good links to the local community, your Petitioners have spent time and money developing their facilities and training locally based employees. Most of the staff live locally and are very loyal to the business with a number having worked for your Petitioners for more than 20 years. Moreover, your Petitioners’ customer base, which includes many central London and surrounding NHS hospitals, have come to expect a level of service which can only be delivered because of your Petitioners’ proximity to them. For instance, your Petitioners are often called upon, at short notice, to cater for specific types of hospital patient and the premises’ location is key to your Petitioners’ ability to meet client demands. Over the years, your Petitioners have also developed long-term relationships with local suppliers who understand the high standards of supply expected by your Petitioners.

Progress to date

16 Your Petitioners appeared before the House of Commons select committee in January 2016 and shortly afterwards received a letter of assurance which includes the following commitments—

2.1 The Secretary of State shall give to the Petitioner not less than 12 (twelve) months’ written notice before taking entry on the Property under section 11(1) of the Compulsory Purchase Act 1965 or section 8 of the Compulsory Purchase (Vesting Declarations) Act 1981, such notice not to expire before 1st October 2017. Should the Petitioner identify alternative premises before October 2016 the Secretary of State shall engage with the Petitioner and look positively at the opportunity of bringing forward a notice under this paragraph.

2.2 Such notice, whether served before or after Royal Assent to the Bill, may be relied upon by the Petitioner for the purpose of enabling it to take reasonable steps to relocate its business, as if it had received a notice to treat in relation to acquisition of the Property, with compensation payable after the Secretary of State takes entry on to the Property under the powers sought in the Bill.

17 Your Petitioners are grateful for these commitments; however, having started to search for alternative properties, now consider that they will require financial assistance in order to purchase any alternative property. Your Petitioners therefore request an undertaking from the Promoter that it will provide such financial assistance if, in advance of the Promoter acquiring their property, your Petitioners find an appropriate, alternative site.

18 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.
The prayer

19 The Petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for Maple Fine Foods Ltd.

18 April 2016
To the House of Lords  
Session 2015–16

PETITION against the  
High Speed Rail (London – West Midlands) Bill

THE PETITION OF THE MARTIN-BAKER AIRCRAFT COMPANY LIMITED

Declares that:

1. The petitioner is specially and directly affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

The petitioner and its property

2. The petitioner is the Martin-Baker Aircraft Company Limited which is a Private Company operating in the aerospace and aviation industry. Its head office and principal research, design and manufacturing works (“the petitioner’s works”) are located at Lower Road, Denham, Uxbridge, Middlesex UB9 5AJ where it employs about 750 people. The petitioner’s works are situated near to a number of construction sites that will be required for the construction of the works proposed under the Bill and, more importantly, the petitioner’s works are close to and dependent upon good access to the A412, which will be subject to alterations under the Bill and which will be heavily used by construction traffic. The petitioner is of strategic national importance to the UK defence industry and exports to over 90 other national air forces.

The Petitioner’s Concerns

3. By virtue of the nature of its business, a considerable number of vehicle movements are made in and out of the petitioner’s works. This comprises some 700 private vehicles of staff and visitors, and some 45 commercial goods delivery vehicles, resulting in a total of some 1490 two way traffic movements each day. As the business is growing, this quantity will increase year by year so that by the time construction commences it will be more. All of these vehicles travel along Lower Road and then Old Rectory Road to the A412. About 40% of these vehicles turn north along the A412 towards Rickmansworth and the remaining 60% turn south towards the junction with the M40/A40.

4. The petitioner is aware that those travelling north along the A412 will pass through the extensive work compounds allocated for the construction of the Chiltern Tunnel and the Colne Valley Viaduct. It is also aware of the increased congestion which the works are likely to cause on the A412 and which is acknowledged in the Environmental Statement. This will have an injurious effect on the safe and secure conduct of the petitioner’s business. The petitioner is therefore concerned that the construction of the high speed railway adjacent to the A412, and the associated main and satellite compounds which will feed onto that road will impact significantly on its business by way of disruption to the transport arrangements of its staff, customers, visitors and suppliers.

5. The petitioner requests that the Secretary of State or the Nominated Undertaker be required to part fund the provision of a new permanent access road and associated infrastructure to and from the petitioner’s works at the end of Lower Road over land already owned by the petitioner to a new junction on the A413 at a point between the bridge carrying the M25 and the junction of the
A413 with the A40. Preliminary designs have already been discussed with the highway authority, Buckinghamshire County Council, and would have the effect of alleviating many of the petitioner's concerns relating to the effects of traffic congestion that will be caused by the construction of the proposed works. They would also relieve traffic congestion for other users of the A412.

6. There are other clauses and provisions in the Bill which, if passed into law as it now stand, will prejudicially affect the rights and interest of the petitioner and other clauses and provisions necessary for its protection and benefit are omitted therefrom.

The prayer

7. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for the Martin-Baker Aircraft Company Limited

18 April 2016
To the House of Lords  
Session 2015–16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF THE NATIONAL FARMERS UNION OF ENGLAND AND WALES  

Declares that:  

1. The petitioner's members are specially and directly adversely affected by the whole Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.  

The petitioner  

2. The petitioner is the National Farmers Union of England and Wales. Formed in 1908, the petitioner represents the interests of farmers throughout England and Wales and it currently has more than 56,000 members. It is regularly consulted by the government on policy proposals across all departments. The Bill would authorise the compulsory acquisition of certain interests in land or property of the petitioner, to which it objects. In addition, the railway that is proposed to be authorised by the Bill would be constructed through a large number of farms that are either owned, or tenanted, by farmers who are members of the petitioner.  

3. The petitioner has received a number of assurances from the promoter which meet some of the concerns raised in the House of Commons, and the petitioner is grateful for that. However, there are a number of instances where no assurances have been given, or where the assurances given do not, in the petitioner’s view, go far enough in meeting its concerns.  

Extension of time limit to exercise powers of compulsory acquisition  

4. Clause 10(1) provides that the compulsory purchase power conferred by clause 4(1) is to expire 5 years from the date when the Bill receives Royal Assent. Clause 10(2) also gives the Secretary of State the power, by order, to extend that period. The 5 years may be extended once in respect of any particular land and for a maximum of an additional 5 years. Subsections (3) and (4) of clause 10 also relate to the order-making power.  

5. The petitioner is concerned by the Secretary of State's order-making power. Giving the Secretary of State five years from Royal Assent to exercise his powers of compulsory acquisition is sufficient; the order-making power is unreasonable and excessive. The prospect of compulsory acquisition is already a cause of serious blight for those of the petitioner’s members whose land is within the Bill limits and the petitioner is concerned by the possibility of land belonging to its members being sterilised for up to a decade. If, after 5 years from Royal Assent, the Secretary of State has failed to exercise his powers of compulsory acquisition over land, he should not be given any longer. The petitioner submits that subsections (2), (3) and (4) of clause 10 should be omitted from the Bill. It is noted that regulation 6 of the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015 requires notices to treat to be served no later than 5 years after a development consent order is made in respect of other major infrastructure projects...
Use of roads

6. Clause 16 confers on the Nominated Undertaker a power to use any roads on the land specified in the table in Schedule 8 or paragraph 2 of Schedule 11 for the purposes of Phase One of High Speed 2.

7. The petitioner is concerned that its members could be adversely and disproportionately disadvantaged by the arrangements as they currently stand under clause 16, especially, for instance, when its members need to use heavy machinery on the roads, or at harvest time.

8. The petitioner therefore submits that the regime under clause 16 should be amended in respect of roads which serve agricultural land. The clause should provide that, in advance of the use of any such road the Nominated Undertaker—

(a) must consult with the landowner and tenant of the agricultural land about the proposals for the use of the road and their views must be taken fully into account by the Nominated Undertaker before it decides to proceed with the proposal;

(b) can only authorise minimal use of the road as is necessary for the construction of the works;

(c) should be required to give reasonable notice to the landowner and tenant of the proposed start and end dates for the road use. A minimum notice period should be included on the face of the Bill and that period should not be less than 28 days.

Time limit on deemed planning permission

9. Clause 21 provides that, for scheduled works, a deemed planning permission (which is granted by clause 20) applies only to works begun no later than ten years after the Bill has received the Royal Assent. The clause allows the Secretary of State to extend this time limit by statutory instrument, which will be subject to the negative resolution procedure.

10. The petitioner considers that ten years is sufficient to implement a deemed planning permission and that if that time limit is to be extended by any instrument there should be exceptional reasons for doing so.

Compulsory acquisition of land for regeneration or relocation

11. Clause 48 enables the Secretary of State to acquire land compulsorily if the Secretary of State considers that the construction or operation of Phase One of High Speed 2 gives rise to an opportunity for regeneration or development of that land.

12. Whilst the petitioner notes that this clause was amended in the House of Commons so as to require consultation with the local planning authority and to require the Secretary of State to have regard to the relevant development plan, the petitioner continues to object to the clause. Clause 4 already provides the Secretary of State with a comprehensive and generous array of compulsory purchase powers; moreover, local planning authorities already enjoy similar powers. There is no need for these powers to be extended to the Secretary of State since it would result in further blight for the petitioner’s members, particularly those located near railway lines and train stations.

13. If the Secretary of State wishes to acquire land which falls outside the limits of deviation then he ought to seek to enter into a commercial transaction with the landowner, without having to rely on a new compulsory purchase power. If your right honourable House does not agree that the clause should be removed, then the petitioner asks that it be amended, for example by requiring
the Secretary of State to abide by the principles which the promoter asserts will be adopted in any event in accordance with its Information Paper C11.

Rights of entry for further high speed railway works and exercise of rights of entry

14. Clause 53 allows an authorised person to enter land, in connection with a Bill or proposed Bill authorising a high speed rail line, for the purpose of conducting surveys or facilitating compliance with EU protection legislation.

15. The petitioner considers this provision to be unfair. Those who will be affected by it, i.e. those whose land will be entered, might not be aware now that they are affected and so will not have the opportunity to petition against this provision of the Bill. For instance, it is likely that those who will be affected by Phase Two of High Speed 2 will be affected by this provision. So, your petitioner requests that this new power should be omitted from the Bill.

16. The petitioner considers that if the power is to be retained in the Bill, compensation should be paid when an authorised person enters land for the purposes mentioned under clause 53, and not just to rectify damage, as the Bill currently provides under clause 54(5). A minimum amount of compensation should be paid for entering agricultural land. The experience of the petitioner's members so far under voluntary arrangements is that there have been many cases where considerable numbers of visits have been made, with monitoring equipment, by numerous companies. This results in inconvenience to farmers, and there would be potential liabilities arising to them as landowners, which may result in increased insurance premiums. None of this would be covered by the compensation provisions of clause 53.

17. The petitioner should be consulted in respect of what that amount should be in relation to agricultural land and the petitioner's views taken into account before the amount is set. In 2012, the petitioner together with the CAAV and CLA, agreed with the promoter, on behalf of their members, that the promoter would pay compensation for accessing and carrying out surveys on their members' land. The amount of compensation paid under clause 53 should not be less than that which was agreed in 2012.

18. Where notice is given in advance of the exercise of these powers, farmers should be provided with information about the likely duration of the exercise of the powers, the number and job descriptions of people who will be entering the land, the type of survey proposed and the type of equipment (if any) to be brought onto the land. This is important because any restriction on the ability to carry out agricultural operations on land caused by the carrying out of surveys may result in penalties being imposed on farmers under the Basic Payments Scheme.

Temporary possession for maintenance of works

19. Paragraph 7 of Schedule 16 allows the Nominated Undertaker, during the maintenance period for any work (defined as the period beginning when the work is completed and ending five years after the date on which the work is brought into general use) to enter upon and take possession of land within the Act limits and within 20 metres of any work within Schedule 1, and to construct temporary works, if reasonably required for maintaining the work.

20. The Nominated Undertaker must give at least 28 days' notice to the owners and occupiers of the land before taking possession and the petitioner considers this period to be insufficient. The nature of the petitioner's members' work means that a longer notice period of notice will be required. The petitioner considers that a period closer to six months would be necessary to give the petitioner's members' sufficient time to make all necessary arrangements in advance of possession
being taken. This is particularly important for farmers who have to meet stringent timescales under contracts with major customers, such as supermarkets. Uninterrupted access along farm roads is crucial for farmers who need to meet those timescales.

**Land-take for mitigation**

21. The petitioner does not dispute the principle of providing replacement land for habitat land and woodland being taken as a result of the construction of the works. The petitioner considers, however, that the amount of the replacement land should not be any greater than that which has been lost and so disagrees with the promoter’s aim of promoting mitigation that adheres to the Lawton report principles of “bigger, better, and more joined up”. For example, the petitioner notes that the Environmental Statement records that a total of 650 hectares of woodland will be planted for landscape and ecological habitat creation to offset 250 hectares lost to the scheme. Indeed, the petitioner is unconvinced that bigger mitigation equates to better mitigation. As far as the petitioner is concerned, the quality of the material being planted, and the way it will be managed, is more important than the surface area of the replacement land.

22. In addition, the petitioner is concerned by the way in which habitat losses and gains will be measured using a modified version of the Defra biodiversity offsetting metric and in particular is concerned that compensatory mitigation planting and other ecological mitigation must be implemented in the right areas on the right type of land, and on a “like for like” basis in terms of the amount of land used.

23. The petitioner is also concerned that significant areas which have been earmarked for habitat creation and tree planting will be taking some of the best and most versatile land out of agricultural production. The petitioner considers this to be unacceptable, given the amount of agricultural land already being lost to the scheme. It makes no sense to compensate for the loss of habitat and woodland by acquiring even more agricultural land and the petitioner submits that habitat mitigation should be implemented on low grade agricultural land or land which is currently out of production.

24. Your petitioner would also stress that where the construction works result in fields being left in awkward shapes, it should not follow that those fields are chosen automatically for mitigation habitat. As is mentioned elsewhere in this petition, only low grade agricultural land should be used for habitat mitigation. Good quality agricultural land, regardless of the awkwardness of its shape, should be retained as such. After all, it is possible that the awkwardly-shaped fields could be incorporated into other fields owned by farmer and could continue to be farmed.

**Rights of way and cycle ways**

25. The petitioner has received assurances from the promoter about detailed design of works and ecological mitigation and welcomes those assurances. The petitioner submits that a similar regime should operate where the Secretary of State proposes to create new replacement rights of way. Before exercising powers of compulsory acquisition, the petitioner submits that the Secretary of State should first approach landowners to see whether they are able to suggest appropriate areas of land for the provision of proposed replacement right of way and, if suitable land can be found, the new right of way should be created through an agreement between the Secretary of State and the landowner. Compulsory acquisition should be the last resort.

26. The petitioner is also concerned about the use of farm land for new cycle ways, where none existed before. If a footpath is interfered with as a result of the works under the Bill, and an alternative is to be put in place, the alternative should not be enhanced to provide something that it was not
before, particularly if adding to it would require more land, in terms of the width of the path. Agricultural land should not be taken to create completely new cycle ways that are unconnected with the railway.

Remedial works

27. The petitioner has provided an assurance which deals with prompt repayment of claims by farmers and rural business owners arising as consequence of the carrying out of the works by contractors and sub-contractors, and the petitioner is grateful for that. But the petitioner remains concerned about the absence of an assurance that guarantees that damage caused by those contractors and sub-contractors will be promptly remedied, and that where appropriate interim remedial measures will be put in place pending permanent measures.

28. The nature of a major scheme like Phase One of HS2 is that it will impact on the day-to-day lives and businesses of very many people. Inevitably there will be disputes and grievances on a wide range of matters, many of which will be minor in terms of economic impact, but which nevertheless cause distress to those affected. Those affected should be able to have their grievances heard swiftly by an independent third party empowered to offer a remedy.

29. The petitioner notes that the promoter intends to set up a small claims scheme to deal with disputes over matters up to £10,000 in value and that there will also be a separate Construction Commissioner. The petitioner seeks more detailed information from the promoter than is currently provided in the relevant information papers and in the latest version of the Farm Pack. In particular, clarity is required about the independence of the processes and the interrelationship between the small claims scheme and the role of the Construction Commissioner. In particular, the petitioner is concerned that the Commissioner’s role will include both mediating in unresolved disputes between the project and individuals or bodies and acting as an arbitrator for the small claims scheme in the event that a dispute cannot be resolved through the normal process. The petitioner is concerned that one individual is unlikely to have the necessary qualifications to deal with all the different types of dispute that may arise in farming cases, or the time to deal with them. At the very least, the Commissioner should have the ability and funding to be able to appoint independent experts to carry out these roles on his behalf.

Interest on payments

30. The Acquisition of Land (Rate of Interest after Entry) Regulations 1995 ("the 1995 Regulations") specify the rate of interest that must be paid by an acquiring authority from the date of entry onto the land (which is the valuation date for compulsory purchase cases) until payment of compensation. Currently the rate specified is 0.5% below the standard rate, which in turn is defined in broad terms as meaning the base rate. Since March 2009, this has meant that no interest has been payable when compensation amounts have been agreed or determined but not paid, removing any incentive for acquiring authorities to make payments to claimants promptly, particularly under current circumstances where property values are generally increasing at a higher rate.

31. The petitioner proposes to your right honourable House that the Bill should be amended so that the 1995 Regulations are disapplied in relation to compensation claims made in relation to the acquisition of land and interests in land under the Bill. Instead, the petitioner proposes that the Bill should specify that compensation payments will attract interest from the date of entry at a figure which is above the standard rate and that it should require that all payments of compensation due to claimants are made within 30 days of the amount being agreed or determined and that compound interest should apply to all overdue payments.
32. The issue has very recently been addressed in the government’s consultation on further reform of the compulsory purchase system (March 2016). Paragraphs 43 and 44 set out their proposal, which is to introduce a penal interest rate of 8% above base rate. The petitioner suggests that this proposal should be taken up in respect of the Bill.

Basic loss payments

33. Sections 33A-33F of the Land Compensation Act 1973 provide for loss payments to be made to owners and occupiers of land to be compulsorily acquired. These payments are in acknowledgement of the fact that a party is displaced from property against their will. The loss payments are in two parts—the basic loss payment and the occupier’s loss payment. The basic loss payment is available to owners with an interest in the land. The occupier’s loss payment is only available to those in occupation of all or part of the land. Owner-occupiers therefore, receive both parts. There are different rates of payment for the ‘land amount’ for agricultural land, compared with non-agricultural land.

34. In the consultation on compulsory purchase reform referred to in paragraph 32, it says that the government considers that there is a need to ensure that the compensation paid to those whose land is acquired is fair. To achieve this the government proposes to amend the current rules setting out how loss payments are allocated to owners and occupiers to reflect the fact that it is occupiers who suffer the greater disruption and inconvenience from the compulsory acquisition.

35. It says that the government consider that the best way to ensure that loss payments are fairly allocated is to reverse the basis of the current payments. This would mean that owners receive 2.5% of the market value of their interest in the land, subject to a maximum of £25,000. Occupiers of agricultural land would receive amounts calculated on various bases, subject to a maximum of £75,000.

36. The petitioner supports these proposals and sees no reason why they should not be implemented in the context of the HS2 Bill. In order to ensure that happens, the petitioner asks the select committee of your right honourable House (assuming it agrees with the petitioner) to encourage the government to bring the proposals forward expeditiously so that they will apply to the HS2 Bill.

Bunds and made-up ground

37. Despite some reductions made during the passage of the Bill in the House of Commons, there will still be significant lengths of bund, made-up ground, “sustainable placement” and ground repprofiling alongside the proposed railway, much of it on good quality agricultural land.

38. The petitioner is concerned that these works will obliterate large portions of farms and so threaten their viability. The petitioner submits that, where agricultural land will be lost, the promoter should be put to strict proof that there are no viable alternatives for the disposal of the spoil in question. For instance, excavated material might be required in development elsewhere in the country and so the promoter should take all reasonable endeavours to explore whether this is the case. In any event, good quality agricultural land should not be taken for excavated material. In particular, the petitioner suggests that the promoter should not be able to carry out dumping where the effect would be to extinguish a farm.

39. In addition, in the petitioner’s submission, the Bill should be amended so as to include a provision requiring the Nominated Undertaker to be responsible for liability for any losses associated with the failure of such operations, such as settlement, collapse or slippage.
40. The Environmental Statement says that noise barriers in rural locations should generally be provided by landscape earthworks, or bunds, rather than by fence barriers. The petitioner does not agree and considers that decisions should be made on a case by case basis. In some circumstances, for instance, a fence barrier will be preferable as less agricultural land will be lost. It is also noted that, in respect of HS1, noise barriers in rural locations are considered to be a successful means of mitigating noise and so their use should be encouraged in respect of this project also.

Planning consent for replacement buildings and associated dwellings

41. The construction of the Authorised Works will necessitate the demolition of agricultural buildings, including farm buildings, storage facilities, workshops and manufacturing units, together with associated dwellings. Where the core farm business will survive, the farmer is likely to want to replace those buildings and the dwellings associated with them. In most cases this will require a full planning application. The uncertainty over whether an application will be approved and the time delays that can arise if a case goes to appeal can all be very difficult for a business to manage. This is particularly acute where (as is often the case) the replacement building is to be located in protected land, such as the green belt.

42. The minister for planning has, as a result of concerns raised by the Select Committee of the House of Commons on this subject, written to local planning authorities about this issue and the promoter has provided assurances to the petitioner which go some way to meeting its concerns, but there are matters of detail in respect of those assurances which remain outstanding and which may be brought to the attention of the select committee of your right honourable House.

43. Alternatively, the petitioner proposes that the Bill should be amended so as to ensure that the process for relocating farm buildings that are lost are capable of being reinstated more easily. This could be achieved by clause 49 being amended so as to ensure that it will apply in any case where land is available for reinstatement works, and to remove other uncertainties. Alternatively, the Bill could make provision for an amendment to the Town and Country Planning (General Permitted Development) Order 1995 so that the replacement of any building used for business purposes and any associated dwelling which is acquired under the provisions of the Bill will be permitted development subject only to the prior approval procedure. The permitted development should allow for modern building materials and, if appropriate, modern design and layout, but the size of the replacement building should be restricted to the size of the original. A local planning authority would then be able to consider siting and access under the prior approval process, as for other permitted development.

Accommodation works and access

44. A large number of farms will be severed as a result of the construction of the proposed railway. Accommodation works in general and crossing points in particular are matters of significant importance for those affected. Well-designed accommodation works which meet the farmer's needs are likely to reduce substantially a claim for compensation and maintain the viability of farms. HS2 Ltd or the Nominated Undertaker should, at a very early stage, seek to agree a specification for accommodation works with affected farmers. That would help to mitigate the impact of the scheme. The specification must allow your petitioner's members to request that a crossing be provided. Moreover, the width of agricultural machinery, along with its weight, will need to be properly considered in the planning for new tracks, bridges or underpasses. The specification might also include the width, height, weight limit and final surface. Once agreed, the specification should be binding on the Nominated Undertaker. The petitioner suggests that minimum height, width and loading requirements for vehicular accommodation works should be
45. The Environmental Statement states that severed land will continue to be used where access is available and, if required, new field accesses to severed parcels of land will be created from public highways. A lot of land is going to be severed in this way and your petitioner considers that in some cases creating a new access off the highway will not enable the farming business to continue. For some, the cost of driving the extra distance by road to access the land will be too high. For livestock holdings, particularly dairy, direct access to blocks of severed land will be needed for a business to continue and for the farm to remain viable. Sometimes, for instance, the access along a country lane may not be wide enough to cope with agricultural machinery and so a new bridge or underpass to access severed land will be essential.

46. The Environmental Statement also states that the HS2 project will seek to minimise structural disruption by incorporating inaccessible severed land for mitigation works. The decision as to whether a piece of land is inaccessible must be made with the landowner and agricultural tenant of the land. In addition, while your petitioner agrees that land which is truly inaccessible should be used for mitigation, doing so must not take precedence over efforts to first providing access to severed land.

Utilities and conduits

47. The petitioner is also concerned to ensure that farmers are able to install utilities such as cables and pipes under the railway if land in their ownership is severed by the railway. This can be achieved by the construction of culverts underneath the railway. In addition to culverts to cater for the requirements of farmers that will arise at the time when the railway is completed, the nominated undertaker should be required to provide additional culverts, on the basis either of a reasonable request from the farmer after construction of the railway has been completed, or by providing them at regular intervals along the route as part of the construction, in order to provide future proofing. Furthermore, any HS2 infrastructure, such as bridges or culverts, that provides a connection between areas of severed farmland should be made available for the use of farmers, subject to safety and operational requirements, without any premium or ransom payment having to be made by the farmer.

Severance and hedgerows

48. The severance of agricultural land by such a long linear scheme will result in some fields being left in awkward shapes. A common element of a claim for severance is the cost of removing hedges and fences in order to re-shape fields into a sensible layout. Since the introduction of the Hedgerows Regulations 1997, the removal of any hedge which is more than 20 metres long requires the consent of the local planning authority. This will add time, cost and uncertainty for farmers who are affected. The petitioner proposes that the Bill should be amended to provide that the Hedgerow Regulations 1997 do not apply to hedges which have to be removed to allow the rationalisation of field layouts where fields are severed by works constructed under the Bill.

Soils management

49. The promoter has provided assurances to the petitioner about the management of soils disturbed as a result of the Bill. Concerns remain about the funding of soil aftercare about which the petitioner may address the select committee of your right honourable House. The petitioner considers that the promoter must fund an aftercare period of at least 10 years to ensure stabilisation of the soil structure and should be required to bring back soil to the condition it was in before works commenced.
**Drainage**

50. The promoter has provided assurances to the petitioner about land drainage, but the petitioner remains concerned that there need to be stronger commitments about the rectification of damage to land drainage arrangements and natural land drainage patterns. All field drainage must be restored, or a new system installed, to ensure that the drainage of fields is returned to full working order in the shortest time possible, and this should include, where necessary, works outside the Bill limits, subject to consent from any third party land owner. There should be independent expert intervention in the case of disputes between farmers and the nominated undertaker about identifying the cause of damage and how it can be rectified.

**Groundwater quality**

51. The Environmental Statement acknowledges that tunnelling and piling could affect groundwater quality and could also temporarily affect the public water supply. The impact on private water supplies, on which many of the petitioner’s members rely, must also be considered and mitigated. The petitioner submits that it is essential that the potential impact on the water supply for livestock farms and irrigation systems is properly assessed and suitable mitigation is provided. The promoter has provided assurances to the petitioner on this subject, and again, the petitioner is concerned that they need to be strengthened.

**Capital Gains Tax**

52. The petitioner considers that there should be a capital gains tax exemption in respect of compulsorily acquired property. The petitioner wishes to emphasise that the majority of farmers do not sell their land: it is passed from one generation to the next and so the prospect of paying capital gains tax is not one which arises often. Under the Bill, however, the petitioner’s members are likely to be faced with the prospect of paying the tax following the acquisition of their land. In the light of the involuntary nature of the acquisition process, the petitioner considers that having to pay capital gains tax following acquisition would be unreasonable and that an exemption should be provided. In the absence of such an exemption, the petitioner considers that the regime described in the following three paragraphs should apply.

53. If the equivalence rule was always observed in compensation claims, no claimant should suffer uncompensatable losses due to taxation. In practice this is not always the case and, with the HS2 project, there are likely to be particular difficulties with the replacement of business assets in the form of farmland.

54. In the usual course of business, the Taxation of Chargeable Gains Act 1992 ("TCGA") allows for rollover relief from capital gains tax when the funds released by the sale of one business asset are re-invested in another business asset within one year prior to the sale or three years after it. Sections 247 to 248 of TCGA make provision about rollover relief in the case where land is acquired by way of compulsory acquisition. The linear nature of the scheme means that many farmers and landowners are likely to seek to acquire farmland to replace that lost to the railway within a relatively narrow geographical area of search. Replacement land is most valuable to a farmer when it is physically very close to the rest of the holding. It does not make economic sense for the business if the replacement land is remote. Two issues therefore arise: the first is that land in a suitable location may not become available on the market within the timescale prescribed by the rollover relief rules; and the second is that there is likely to be an imbalance of supply and demand close to the line of the railway which could force land prices upwards.
55. The petitioner requests that the select committee of your right honourable House, following on from the recommendations made by the select committee of the House of Commons on this subject, recommend that the government address the issues raised above, to make the position fairer on the claimant. The preferred solution would be to provide a capital gains tax exemption in respect of compulsorily acquired property. An alternative solution would be to extend the period in which rollover relief can be claimed. This could be achieved by TCGA being applied with modifications so that assets acquired for the HS2 scheme will be eligible for rollover relief if they are replaced within a realistic period. In the final special report of the select committee of the House of Commons it says, in paragraph 364, that "as it will take HS2 some ten years to bring its Phase One rail project to fruition, there is a case for allowing farmers a comparable period for reinvestment". The petitioner agrees with that sentiment and awaits HM Treasury's response.

56. In any event, the petitioner suggests that at least some of the uncertainty that farmers will suffer could be alleviated by the promoter providing guidance generally on what, in the context of a compensation claim, it would regard as "reasonable steps" being taken by a farmer to find alternative land, in cases where a final compensation agreement is capable of being reached before HMRC makes a determination on the issue.

**Stamp Duty Land Tax**

57. When a replacement asset is acquired following compulsory acquisition, stamp duty land tax (SDLT) may be due on the acquisition cost. This would usually be included as part of the claim but, so far as farmland that is not owner-occupied is concerned, the SDLT must fall due within 12 months of the claim. For owner-occupied land, the time limit is 6 years. For the reasons outlined above in relation to capital gains tax, the 12 month time limit is unlikely to be reasonable for the HS2 project.

58. The petitioner asks your right honourable House to recommend that the period for claiming the cost of SDLT on the acquisition of a replacement asset should be extended in cases where farm land, buildings and cottages acquired under the Bill are not owner-occupied.

**Inheritance tax**

59. Where an estate is worth more than £325k an Inheritance Tax ("IHT") charge of 40% applies to the excess. There are however a number of reliefs that may first be applied to an estate which would reduce the taxable value. For farmers the two main reliefs are Agricultural Property Relief (APR) and Business Property Relief (BPR) which can relieve up to 100% of the value of agricultural land or other business property. The availability of APR and BPR is dependent on their being qualifying assets held for at least two years prior to death or a lifetime transfer (seven years in the case of let agricultural property).

60. Where land is purchased under a compulsory purchase order it is likely to change the asset from one that qualifies for up to 100% IHT relief to cash which doesn't. New assets may be acquired which, if held long enough before death, would then qualify. There are also rules which allow a replacement asset to be acquired and for it to qualify for IHT reliefs immediately by virtue of the combined length of ownership of the old and new asset.

61. However there is a clear risk that a farmer might die before replacing the monies received with further assets with the result that they incur IHT which would not otherwise have been payable. Similarly, there could be instances where the farmer is unable to find suitable replacement assets quickly enough and so finds that he does not then receive relief on the replacement asset.
The petitioner asks your right honourable House to recommend that where compensation is paid and the farmer dies afterwards then, provided the farmer has taken reasonable steps to replace the asset (albeit without success) at the time of death, then the farmer's estate should be excused having to pay IHT in respect of the compensation payment.

**Value added tax**

Land is ordinarily exempt from VAT and the majority of land that will be taken by HS2 will therefore be exempt. However, it is possible to make an election for a parcel of land or one's entire holding of land to be subject to VAT. This is favourable where a landowner intends to incur costs that are subject to VAT, as it allows the landowner to recover the VAT charged on his costs.

The petitioner submits that the promoter should be obliged to make all reasonable endeavours to find out whether a farmer has opted land for VAT and explain the ramifications to the farmer during the compulsory purchase process. Furthermore, the petitioner suggests that the promoter be required to refer to any suggested compensation payment as being exclusive of VAT. This would remove any risk that the farmer would be unable to charge VAT in addition to the agreed compensation figure should they be obliged to do so.

**Stoneleigh Park**

The petitioner's headquarters, Agriculture House in Stoneleigh Park, Warwickshire, will be affected by the Bill. The petitioner employs around 350 people and around 230 of them work at Stoneleigh Park. The remaining employees visit headquarters fairly regularly for meetings, seminars and conferences. In addition, at least once a month, Stoneleigh Park hosts a large meeting for the petitioner's members when at least 100 members attend. There are also more regular small scale meetings with members. Car use at Stoneleigh Park is frequent and heavy and good access from the highway to the petitioner's headquarters is essential.

The part of Stoneleigh Park with which the petitioner is concerned is listed in the Book of Reference which accompanied the Bill as plot number 77a in the parish of Stoneleigh in the district of Warwick, in the county of Warwickshire. Under Schedule 5 to the Bill, plot number 77a can be acquired for the purpose of the “diversion or installation of, or works to, utilities apparatus”. Plot number 77a, however, constitutes a large portion of Stoneleigh Park and it is not clear why the promoter requires extensive powers of acquisition for works which in reality would require a limited amount of land take for a limited period of time.

In addition to the above, your petitioner is particularly concerned that the Bill grants acquisition rights over all accesses to Stoneleigh Park to the promoter. No alternatives have been proposed to be put in place by the promoter and, as a result, your petitioner submits that the promoter undertake that current levels of access to Stoneleigh Park will remain in place throughout construction and operation of the high speed rail line. At the moment, it is unclear whether suitable access to Stoneleigh Park from the public highway will be provided at all times. Clearly, this could compromise your petitioner's employees' ability to get to work and so your petitioner submits that suitable access to Stoneleigh Park from the public highway must be maintained at all times from both the main and northern entrances. The petitioner notes that a number of assurances relating to Stoneleigh Park, were read onto the record during the proceedings of the select committee in the House of Commons, but notes that they have been crossed out in the latest version of the register of undertakings and assurances. The petitioner is concerned to know what the status of the assurances is and if they are in doubt seeks assurances of its own.
General

68. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of the petitioner and its members and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

The prayer

69. The petitioner therefore asks the House of Lords that he, or someone representing him in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for the National Farmers Union of England and Wales

18th April 2016
To the House of Lords
Session 2015-16

PETITION against the

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

THE PETITION OF NORTH WARWICKSHIRE BOROUGH COUNCIL

Declares that:

1. The petitioner and its property, rights and interests in its area and the inhabitants of its area would be injuriously and prejudicially affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

2. The petitioner is the local authority for the borough of North Warwickshire (“the Borough”). The petitioner has been invested by Parliament with a number of important powers and duties in relation to the interests of the inhabitants of their area. Amongst other functions of the petitioner is that of planning and environmental health. It is the local planning authority in respect of all development except for minerals and waste and is thus responsible for preparation of Local Plans.

3. The Bill would authorise the compulsory acquisition of certain interests in land or property of the petitioner, to which it objects, and in accordance with the standing orders of your right honourable House, notice has been served on the petitioner of the intention to seek such compulsory powers.

Business Rates

4. In the petitions already deposited against the Bill, the petitioner has described the impact of the loss of business rates on its finances. The petitioner is leading on this issue on behalf of all local authorities along the route. The impact will vary but each authority will be affected.

5. The petitioner has met, and exchanged correspondence, with HS2 Ltd., the Department for Communities and Local Government and the Department for Transport. While these bodies
recognise there will be a detrimental impact on the petitioner’s finances, no remedy has been put in place yet, or even proposed, to address this impact.

6. The petitioner considers this to be unsatisfactory, especially in the light of the fact that the petitioner is not, at this stage, seeking payment of compensation. Instead, the petitioner wants to agree a formula with the promoter which will be used to determine the amount of compensation which will be payable to a local authority which experiences a loss in business rates due to the HS2 scheme. If the petitioner is unable to agree such a formula with the promoter, it will request that the House of Lords select committee sets a formula for the parties to abide by.

Special Management Zone

7. The petitioner has received an assurance on behalf of the Secretary of State dated 27 October 2014 that the nominated undertaker will be required to ensure that appropriately experienced community engagement personnel are appointed to manage stakeholder and community relationships during the development of HS2 in North Warwickshire. The letter states that until the Secretary of State appoints a nominated undertaker, the requirements imposed on the nominated undertaker are imposed on HS2 Ltd. The letter goes on to state that the community engagement team will include a single point of contact for local authorities in the area, a named individual point of contact for affected property owners, and a senior manager accountable for effective implementation of the Code of Construction Practice in the North Warwickshire area.

8. The petitioner is grateful for this assurance and was led to believe that the arrangements for the community engagement personnel would be put in place ahead of the Bill gaining the Royal Assent (which, we understand, the promoter hopes will occur before the end of 2016). The petitioner is concerned that no progress seems to have been made to put these arrangements in place. Moreover, it appears that no steps have been taken to establish how the community engagement personnel will operate and be accountable locally. The petitioner requests that the promoter provides an explanation of (i) how it envisages these important arrangements will work and (ii) a timeline for bringing them into effect.

Old Saltleians Rugby Football Club

9. In its petitions against the Bill, AP2 and AP4, the petitioner described the importance of the Old Saltleians Rugby Football Club. The club, founded in 1933, provides leisure opportunities for a range of groups from under 6 to the 1st XV who play in the Midlands 2 West (North) league.
10. It is a well-established club with approximately 390 adult and junior members and has three senior full size pitches, one junior pitch and three mini pitches, as well as a floodlit training area. There is also a main clubhouse which includes a bar and a gym and is used for social events. As was stated in the petition against the Bill, owing to the construction of the railway, the rugby club will be unable to remain at its present site, either during or following construction.

11. The petitioner has requested that, in addition to providing a suitable site, the promoter provides a clubhouse with facilities which are, at least, of a similar standard to the existing facilities. In the event that the clubhouse is demolished before the new site is available for use, the petitioner requests that the promoter provides Old Saltleians RFC with a temporary clubhouse close to the existing site which is equipped with changing rooms sufficient for the current number of teams and which has bar and catering facilities. The latter are particularly important for this community club which has modest finances.

12. Although HS2 Ltd. is working with the Rugby Club to progress matters, progress to date has been slow and it is now unclear whether the club will be able to remain at their current site whilst the new site, which is yet to be acquired, is being prepared.

13. The petitioner is still concerned that this important local facility will be lost due to the delays in getting a new site (including pitches and club house) prepared and ensuring there are two clear growing seasons between the site being acquired and being occupied. The petitioner therefore requests that HS2 Ltd. expedites its negotiations with the Rugby Club to ensure that the matters requested in paragraph 11 of this petition come to fruition as soon as possible.

Cottages off Lichfield Rd, Coleshill

14. The petitioner would like to bring to the attention of your right Honourable House the situation of residents in 8 cottages off Lichfield Road, Coleshill. These cottages are owned by Severn Trent Water who, as owners, are eligible for compensation when the properties are acquired. A consequence of acquisition by the promoter, however, is that the tenants will be made homeless. A number of the residents are elderly and the prospect of being displaced is causing great distress. Moreover, no proposal to provide alternative accommodation had been put forward by the promoter.
15. The petitioner requests that the promoter enters into discussions with the residents immedi­ately in order to explain how the promoter will assist them in finding alternative accommoda­tion, assistance with their removal costs etc.

Generic issues

16. The petitioner is aware that other local authorities are leading on generic issues which apply to councils along the line. For instance, Warwickshire County Council is leading on the recovery of costs, ecology standards and the principle of “no net loss”; Buckinghamshire County Council is leading on the community compensation fund and the London Borough of Camden is leading on the case in respect of clause 47 (acquisition outside limits) of the Bill. The petitioner supports each of the cases being presented by fellow local authorities on these important issues.

General

17. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of the petitioner and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

The prayer

18. The petitioner therefore asks the House of Lords that it, or someone representing it in accord­ance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for North Warwickshire Borough Council

18 April 2016
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF (1) CHARLES HENEAGE FINCH-KNIGHTLEY (THE EARL OF AYLESFORD); (2) HENEAGE JAMES DANIEL FINCH-KNIGHTLEY (LORD GUERNSEY); (3) WILLIAM FRANCIS MELFORD (BARON STAFFORD), MARK COPLESTONE (LORD POLTIMORE) AND ROGER STONE (AS TRUSTEES OF THE GUERNSEY MARRIAGE SETTLEMENT); (4) PACKINGTON ESTATE ENTERPRISES LIMITED

Declares that:

1. The petitioners are specially and directly affected by the provisions of the Bill except the provisions under the cross-headings "Railway matters" and "the Crown".

The petitioners

2. The petitioners are (1) Charles Heneage Finch-Knightley (The Earl of Aylesford); (2) Heneage James Daniel Finch-Knightley (Lord Guernsey); (3) William Francis Melford (Baron Stafford), Mark Coplestone (Lord Poltimore) and Roger Stone (As Trustees of the Guernsey Marriage Settlement) and (4) Packington Estate Enterprises Limited. It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of the petitioners, to which they object.

3. Together, the petitioners own a large area of land, known as the Packington Estate ("the Estate"). The Estate is an ancient agricultural and sporting estate, which now also includes a variety of commercial activities, which extends to some 5,000 acres. Packington Hall is situated in the heart of a Capability Brown Park and both are Grade II* listed.

4. Within the Estate can be found farms, a school for autistic children, 70 residential properties, over 75,000 square feet of commercial offices hosting some 60 businesses with some 700 employees, 15 workshops, the 77 acre Marsh Lane Nature Reserve, two golf courses, fish farms, commercial quarrying and nine directly affected listed buildings. More than 800 people are employed by or on the Estate.

5. More than three kilometres of the proposed railway will be built across the Estate and the proposed Birmingham Interchange Station ("the Station") will also be located on the Estate. The Bill would authorise the compulsory acquisition of over 300 acres of the Estate. Connectivity between parts of the Estate will be severely disrupted by proposed works to the A45, the A452, Meriden Road and the Stonebridge roundabout.
6. The petitioners allege that their rights, interests and property will be injuriously and prejudicially affected by the provisions of the Bill if passed into law in their present form, and the petitioners accordingly object to the Bill for the reasons, amongst others, hereinafter appearing.

Birmingham Interchange Station Site: the “Triangle Land”

7. The proposed Birmingham Interchange Station site is contained within the triangle formed by the M42, A45 and the A452 ("the Triangle Land"), of which the petitioners are the majority landowner. The Station building itself would sit almost entirely within land owned by the petitioners. The vast majority of the rest of the Triangle Land is owned by the Coleshill Estate, Birmingham City Council and Solihull Metropolitan Borough Council. The petitioners have for some time been in discussions with the other landowners about how the Triangle Land can be developed and are working within the confines of a Collaboration Agreement that sets objectives along with financial commitments to recognise the unique development opportunity created at the Interchange site. The Landowners’ Consortium have, through their Board and Executive Project Team, promoted and continued to carry the development opportunity forward.

8. The petitioners have also been engaged in constructive discussions with the promoters about their concerns in relation to the Triangle Land, and satisfactory agreement has been reached on all but three points.

9. First, in relation to the design of the Station, the petitioners have concerns (shared by the other three landowners) about the resistance on the promoter’s part to divert from the Station’s design as illustrated in the documentation accompanying the Bill. The importance of the Station’s design being complimentary to the development of the Triangle Land, the aspirations of UK Central, the NEC and Birmingham Airport (who are producing their own master plans) cannot be overstated. The petitioners fear that there is a risk of the design process not being flexible enough to enable a move towards a completely new design, which the petitioners and their fellow landowners believe is necessary.

10. The Station Design Working Group referred to in the draft agreement relating to land acquisition in the Birmingham Triangle has only just been established and progress has been slow to date. It is likely that the petitioner may need to bring to the attention of the committee its view that a major and speedy rethink, in respect of Station design and wider master planning, is required to fulfil the aspirations of all the interested parties, including those of the landowners, local authorities and central Government.

11. Secondly, as part of the works authorised by the Bill, Middle Bickenhill Lane would be stopped up. It currently provides unimpeded access to and from each side of the line of the proposed railway into the Triangle Land for all four landowners. The issue, in short, is that the promoter has not, as part of the negotiations relating to ownership and use of the Triangle Land, given a commitment to provide an equivalent replacement access that can be used freely by the petitioners either as a public road or an accommodation route once the works have been completed. This is despite the fact that the intention is that a bridge will be constructed across the railway that would provide such a connection. The promoter insists that the question of the provision of access to the Triangle Land is one that should be left to commercial negotiation.

12. This could leave the petitioners and the other Triangle Land owners without adequate access to the Triangle Land following the temporary use of land by the Nominated Undertaker as construction sites for the works authorised by the Bill. The promoter has not indicated on any of
its plans whether it is its intention to re-provide a connection and access over its internal access roads on the Triangle Land or whether access is to be available to the petitioners and the other landowners. This could result in the Triangle Land being severed with no access rights. The promoter or nominated undertaker could effectively hold the petitioners to ransom, with the threat of further compulsory acquisition under clause 48 of the Bill. The petitioners ask your right honourable House to direct the promoter to ensure that such access is provided without the ransom situation described above arising.

13. Thirdly, on a similar, but more general point (which also applies to land owned by the petitioners that is outside the Triangle Land), the petitioners are concerned that once the railway is constructed, it would provide an opportunity for the nominated undertaker to require ransom value in cases where developers (who may well include the petitioners) wish to construct bridges or place other infrastructure over or under the railway or where owners of agricultural land (again including the petitioners) need to run utilities across the railway in order to connect their severed land. This practice has been applied for many years by Network Rail and its predecessors. The petitioners ask your right honourable House either to require an undertaking from the promoters or to amend the Bill to the effect that the practice will not be allowed in respect of the proposed railway and that the petitioners or any of their successors in title shall be entitled to call for the grant of a right, at no consideration, enabling them to construct any structures, culverts, pipes, conduits, wires and other media over or under the railway as shall reasonably be required to service any retained land. The petitioner acknowledges that this entitlement would need to be subject to reasonable engineering, construction and operational conditions for the protection of the railway being placed upon any grant of rights and to the petitioner meeting the promoter’s reasonable costs.

Other Matters

14. The petitioners have some remaining concerns about the effect of the Bill on land that it owns outside the Triangle Land. In addition to the point about utilities mentioned above, the petitioners are also concerned about the adequacy of the proposals for access across the railway for vehicles and livestock. In particular, the petitioners consider that provision should be made for such access at the point where the Horn Brook will pass under the railway, and vehicular access should be available to the petitioners for all purposes along the replacement section of Footpath M230A (the Old Kenilworth Road) which is to be stopped up as part of the authorised works.

15. The second petitioner has been in constructive discussions with the promoter and Solihull Metropolitan Borough Council about the provision of the replacement for the Bickenhill waste recycling facility on his land. An agreement about the possible use of an alternative site on the second petitioner’s land is under discussion and should be concluded before the petitioners are due to appear in committee. In case not, the second petitioner reserves his right to so appear on the subject.

16. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of the petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.
The prayer

17. The petitioners therefore ask the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

SHARPE PRITCHARD LLP
Agents for (1) Charles Heneage Finch-Knightley (The Earl of Aylesford); (2) Heneage James Daniel Finch-Knightley (Lord Guernsey); (3) William Francis Melford (Baron Stafford), Mark Coplestone (Lord Poltimore) and Roger Stone (as Trustees of the Guernsey Marriage Settlement) and (4) Packington Estate Enterprises Limited

18 April 2016
To the House of Lords  
Session 2015-16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF ROXANE UK LIMITED

Declares that:

1. The petitioner is specially and directly affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

2. The petitioner is Roxane UK Limited. It owns and occupies premises at Wood End Lane, Fradley, Lichfield WC13 8EL in the county of Staffordshire ("the Site"). It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of the petitioner, to which it objects.

3. The Site contains a bottling plant to which spring fed water is brought in via a pipe line from nearby boreholes. The boreholes provide both mineral water and spring water. The site represents an investment of some £30m by the petitioner. The petitioner produces water under the Cystalline brand and also own label brands from supermarkets. The plant is capable of producing 50,000 bottles per hour and runs for 24 hours a day, seven days a week, it has the capacity to produce 600m litres per annum. There are currently around 500 individuals employed at the site at various times through any working month.

Effect of land take on access, parking and future development

4. The proposals in the Bill will result in loss of crucial parts of the Site, which is already tightly constrained. A significant amount of land will be taken from the Site’s lorry park as will the existing access from Wood End Lane and the existing vehicle turning area.

5. If the land is acquired as described in the Bill and the proposals are carried forward in the way currently proposed by the promoter, then the resulting internal access and parking arrangements on the Site will be wholly unsuitable, not just in terms of the practical operation of the site, but more importantly in relation to the health and safety of persons on it. If the proposals are not altered, the petitioner submits that for those reasons its business will not be able to function either during the construction period or after completion of construction.

Proposed replacement access

6. The petitioner has grave concerns about the proposed replacement access to the Site. Visibility is likely to be very limited given the tree planting that HS2 Ltd propose in the area and the proximity to the new railway overbridge across Wood End Lane.

7. The petitioner considers that the proposed access will be completely inadequate for its needs,
given the amount of vehicle movements to and from the Site. Furthermore, its future options for improved highway access will be limited on highway grounds given the proximity to the proposed Wood End Lane bridge.

**Attenuation tanks**

8. Where the proposed replacement access road enters the Site it will pass directly over the petitioner’s underground attenuation tanks. This must not happen because the tank needs significant protection as they act as balancing ponds in severe weather and protect the Site from flooding.

**The water pipes and utilities**

9. Two high capacity pipes feed the plant from the Seedy Mill borehole to supply the required amount of water for bottling. The route from the railway line will sever the pipes. The petitioner’s business is entirely reliant on continuous water supply along the pipes. If they are to be severed, they must be re-laid in a suitable location and in such manner prior to construction to absolutely ensure continuity of supply of water to the site at all times. If these measures are not put in place then the plant will cease to operate, resulting in loss of contracts and loss of profit. The petitioner’s customers are very exacting and demanding. The pipes need to be laid in a specific manner avoiding tight bends, and should only cross the proposed railway once. Certain limits on the length of the water pipes must also be complied with so that the water can be classed as spring water.

10. The petitioner is also concerned that should it wish to upgrade the pipes in the future it should not be held to ransom by the owners of the HS2 railway line. Conduits should be provided at suitable locations for additional pipes and rights should be provided to the Petitioner so as to enable the petitioner to install additional pipes from the borehole as necessary without paying a premium.

11. There are also effluent and overflow pipes which flow from the Site underneath the area of the proposed access on to Wood End Lane. It is important that these are not severed or damaged, so as to ensure continued efficient use. Similarly, the plant relies on a constant supply of electricity and is concerned about any interruption of supply.

**Unnecessary permanent land take**

12. The petitioner is particularly concerned by the possibility of its land being acquired permanently when it is only needed for temporary construction purposes and considers it inappropriate for the Bill to contain compulsory purchase powers allowing that to happen. For example, the land required at the access to the premises is liable to permanent acquisition when it is only needed for construction purposes.

**Vibration**

13. The bottling plant houses some very technical machinery, most of which is robotic. This machinery will not stand vibration nor disturbance of any significant degree. The petitioner has grave concerns that construction work and future operation of the railway line will significantly affect the plant machinery within the site.

**Remedies sought**

14. The petitioner asks that the Promoter be required to alter its proposals and provide undertakings so as to meet the concerns expressed in the foregoing paragraphs.
15. The petitioner has been in discussions with the promoter about those concerns. In particular, discussions have taken place on possible alternative reconfigurations of the Site which would result in acceptable access and parking arrangements being implemented as part of the HS2 works. However, despite the petitioner having come up with sensible solutions which would be capable of implementation, the promoter has not committed to agreeing any of them and appears to show no willingness to do so. Instead the promoter insists on taking the position that it will continue discussions and make a decision later on, having regard to the cost of the implementation of the proposed alternatives, and other reasons.

16. This position is most unsatisfactory for the petitioner because it is left in a situation of complete uncertainty about its future. If its business were to be extinguished, there would be very serious consequences in relation to the compensation claim that would arise, no matter how much the petitioner tried to mitigate it. The petitioner is firmly of the view that any compensation claim for extinguishment would be substantially greater than the cost of any of the alternative solutions that it has put forward.

17. If the promoter does not agree to implement one (or one of a selection) of the proposed schemes suggested by the petitioner it will have no choice but to appear before the Select Committee of your Right Honourable House and ask that it be required to do so. The petitioner finds this situation most unsatisfactory, knowing that other landowners affected along the route have obtained assurances from the promoter which provide them with certainty in similar circumstances.

18. The petitioner also asks your Right Honourable House to require the promoter to ensure that best endeavours are used to ensure that the continuity of water supply to the Site is maintained throughout the construction of the works, that the alternative pipes are laid by South Staffordshire Water (who laid the original pipes) and that the pipes are laid in such a way so that they cross the railway only once, and with as few bends as possible.

19. The petitioner also requests that no works should be situated above the attenuation tank, and that the highway access onto Wood End Lane is designed in such a way that it complies with all the requirements of the local highway authority in respect of visibility particularly for drivers of left hand drive vehicles entering and leaving the Site, of which there are very many. Protection is also required for the utilities which serve the plant.

General

20. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of the petitioner and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

The prayer

21. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for Roxane UK Limited
18 April 2016
To the House of Lords  
Session 2015–16

PETITION against the  

High Speed Rail (London – West Midlands) Bill

THE PETITION OF STAFFORDSHIRE COUNTY COUNCIL

Declares that:

1. The petitioner and its property, rights and interests in its area and the inhabitants of its area would be injuriously and prejudicially affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

The petitioner

2. The petitioner is the local authority for the County of Staffordshire (“the County”) and has been invested by Parliament with a number of important powers and duties in relation to the interests of the inhabitants of its area. Amongst other functions of the petitioner are that of the education authority, the local planning authority in respect of minerals and waste, and the highway authority for all existing or proposed public highways in the County, except for those which are the responsibility of the Secretary of State. In addition, the petitioner is the traffic authority for most roads in the County.

3. The Bill would authorise the compulsory acquisition of certain interests in land or property of the petitioner, to which it objects, and in accordance with the standing orders of your right honourable House, notice has been served on the petitioner of the intention to seek such compulsory powers.

Safer Walking Routes to School, Darnford Lane, Whittington, Lichfield

4. Current legislation requires the petitioner to provide free transport to pupils living over three miles from their secondary school. Those living nearer are not so entitled, providing there is a Safe Walking Route available. The assessments for Safe Walking Routes are conducted by the petitioner in line with a national methodology and are based on, among other things, traffic flows and accident rates.

5. The petitioner’s concern is that while Darnford Lane will remain open during construction of the HS2 works, the additional traffic generated by the construction process may render the route no longer safe. Should this occur, the petitioner would be required by law to fund transport for all pupils in Whittington travelling to King Edward VI School in Lichfield who fall outside the statutory three mile boundary, for either a temporary or permanent period. The petitioner requests that the promoter be required to provide an assurance that should this occur, the additional cost would be borne by HS2 Ltd.

A38 Junction at Hilliard’s Cross

6. The petitioner is concerned about the impact that the proposed HS2 HGV construction traffic will have on the operational efficiency of the A38 Hilliard’s Cross junction with Wood End Lane. The
Secretary of State is the highway authority for the A38 at this location and the petitioner is the highway authority for Wood End Lane. The petitioner has concerns about the impact of HS2 construction traffic on the safety of the layout of this junction.

7. The petitioner considers that the temporary signalisation proposed by the promoter will be insufficient to address the congestion that will result here as a consequence of HS2 construction. Further, it appears that signalisation could present a risk of queuing back onto the local highway network from both the northbound and southbound slip roads. Highways England are also concerned about the congestion impacts and their own modelling shows that the mitigation proposed by the promoter will be insufficient. That modelling assesses the junction as a whole and takes account of impedance accessing the A38.

8. The government has announced that authorisation for the section of route from Handsacre to Crewe is to be accelerated so that it will open in 2027, six years earlier than planned. Mitigation for the Hilliard’s Cross junction must be considered in the light of the impacts from Phase 1 and Phase 2a, as they will be occurring consecutively and possibly overlapping for up to ten years. The petitioner considers that the Promoter should be required to make any improvements at the junction permanent, rather than temporary, given the length of time which they are planned to be in place.

9. The petitioner asks that the promoter be required, in discussion with the petitioner and Highways England, to develop and implement an improved junction layout before the main HS2 construction works commence at this location. This work must start immediately, and if as a result it is concluded, as the petitioner considers it might be, that the only acceptable solution would require works that are not within Bill powers, and the improvements are not taken forward in an additional provision, then the Promoter should be required to fund the implementation of the improvements, and co-operate with the petitioner and Highways England in their implementation.

General

10. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of the petitioner and other clauses and provisions necessary for its protection and benefit are omitted therefrom.

The prayer

11. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for Staffordshire County Council

18 April 2016
PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF STAFFORDSHIRE WILDLIFE TRUST

Declares that:

1. The petitioner and its members is specially and directly adversely affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

2. The petitioner is Staffordshire Wildlife Trust, a local nature conservation charity established in 1969 to further the protection and enhancement of wildlife and wild places and promote understanding, enjoyment and involvement in the natural world across Staffordshire. The petitioner has over 15,000 members and 700 volunteers, many of whom live and work in the area that will be affected by the construction and operation of the Authorised Works. The petitioner owns or manages 26 nature reserves across the sub-region, totalling over 3500 acres, but works beyond these to promote its objectives throughout their area. The petitioner is a lead partner in a number of landscape scale nature conservation schemes which aim to restore and create wildlife habitat and promote opportunities for local communities to access wildlife. The petitioner also campaigns to promote and secure positive outcomes for wildlife through the planning system and is recognised by local authorities across that region as a consultee on planning applications, strategic planning documents, and other matters affecting the area in which those whom it represents live.

3. The petitioner has been actively engaged with HS2 Ltd and their representatives through hosting bi-lateral meetings and attending Community Forum meetings to which its interests relate (Community Forum Areas 21 and 22). The petitioner is a member of the route-wide Ecology Technical Group established to provide the means for engagement, consultation and information-sharing in order to achieve the best possible outcome for ecology from the high speed rail proposals. The group has met occasionally with representatives of the promoters of the Bill. The petitioner is also represented nationally by the Royal Society of Wildlife Trusts, which has been represented at the HS2 Ministerial NGO Roundtable that has met regularly during the preparation of the Bill.

4. The petitioner’s interests, and those of its members are injuriously affected by the Bill.

The petitioner’s concerns

Net Gain for Biodiversity

5. The petitioner believes that the aim of the Bill, in relation to ecological impacts, should be to result in a ‘net gain’ for biodiversity in line with paragraph 10 of the recommendations of the Environmental Audit Select Committee in their report on HS2 and the Environment (7th April 2014), rather than the aim of ‘no net loss’ for biodiversity set out in the promoter’s sustainability policy. We request that a clause is added to the Bill requiring a net gain for biodiversity to be secured in perpetuity through the
works, mitigation and compensation, including habitat creation or improvement, and that appropriate funding is allocated.

6. The petitioner also believes that the Bill as drafted will not achieve even the stated aim of ‘no net loss’ of biodiversity, and that the impacts of the proposals will be insufficiently mitigated and compensated, leading to a significant overall reduction in biodiversity value resulting from the proposals. The petitioner requests that suitable mitigation and compensation is provided through securing ecological improvements within the existing boundaries of the limits of land to be acquired, by incorporating additional land within the limits of land to be acquired, or by legal agreement on land outside the Bill limits.

No Net Loss Metrics

7. The petitioner is concerned that the approach taken by the promoter to assessing their achievement of the ‘no net loss’ for biodiversity target is flawed in, amongst other things: its failure to consider indirect effects (such as habitat degradation due to changes in hydrology or ‘edge effects’ on severed woodland patches); its consideration of habitat connectivity both in terms of impacts and compensation; its approach to irreplaceable habitats such as Ancient Woodlands, its approach to linear habitats and its optimistic view of the time required to create and fully establish habitats. The petitioner understands that the government has appointed Natural England to carry out an independent review of the approach taken to assessing the ‘no net loss’ calculation of the project’s impact. The petitioner is disappointed that representatives from local authorities, local wildlife trusts and the Woodland Trust will not be directly involved in the review and asks that this be reconsidered. In the event that a review concludes that further mitigation or compensation is required to meet the ‘no net loss’ target, or a revised ‘net gain’ target, the petitioner asks that provision is made to secure any further mitigation or compensation, including habitat creation or improvement, and for it to be secured for the full duration of the project.

Ancient Woodland

8. The petitioner objects to the level of loss of Ancient Woodland associated with the proposals, and the indirect damage to remaining areas affected by the construction of the project. Ancient Woodland can support ecological communities of the highest wildlife value and represents, as stated by HS2 Ltd, an irreplaceable resource. Avoidance of direct loss and mitigation for indirect impacts could be improved. The amount, type, timescale and methods of compensation proposed by the promoter’s current Ancient Woodland Strategy is also inadequate. There is insufficient evidence to show that translocation of Ancient Woodland soils is successful, and no reference is made with regard to the use of current best practice in Ancient Woodland conservation, or monitoring. Restoration and enhancement of retained areas of Ancient Woodland would be a valuable and essential part of compensation measures, but is absent from the strategy. The petitioner requests that the route is modified or tunnels are used to minimise the loss of Ancient Woodland and other ecological interests. The petitioner requests that the promoter’s Ancient Woodland Strategy is formally published and consulted upon, and that improvements to Ancient Woodland mitigation and compensation proposals are made in line with current best scientific knowledge.

Ecological Review Group

9. The promoter has agreed to establish an ecological review group which, according to the latest draft Environmental Memorandum produced by the promoter, will be formed for the specific purpose of reviewing the outputs from the ecology monitoring programme once the proposed railway is operational. The petitioner believes that this will be far too late; that the review group should be established as soon as possible, and that its remit should be altered so that it is able to make
recommendations about the design of the railway and the proposed ecological mitigation before and during the detailed design process. The promoter and the nominated undertaker should be required to co-operate with the ecological review group and have due regard to its findings when designing, constructing and operating the works authorised by the Bill. This should include, but not be limited to, meaningful consideration of reasonable proposals for additional specific ecological measures, including new or improved green infrastructure within the Bill limits if recommended by the group. There should be improved consistency of approach along the line of the proposed railway in respect of these matters, and the group should be tasked with reporting to the select committee of your right honourable House before it concludes its hearings. Again, representatives from local authorities, local wildlife trusts and the Woodland Trust should be invited to be members of the group.

Local Wildlife Sites

10. In Staffordshire, eighteen non-statutory designated Local Wildlife Sites will be directly impacted by the proposals, along with four sites the petitioner believes have potential to be designated as Local Wildlife Sites. Nine of these sites are also Ancient Woodlands. There are also additional sites where it is not clear what the potential impacts may be, as information in the relevant Environmental Statement is not consistent. The petitioner believes that impacts to these sites could be better avoided, mitigated and compensated than the current plans propose, and have raised these issues in our detailed comments on the Bill and the Additional Provisions. The petitioner requests that improved measures to avoid, mitigate and compensate damage to Local Wildlife Sites are incorporated into the detailed plans.

11. Apart from one small area of one Local Wildlife Site, there are no proposals within the Bill to restore, enhance or manage long-term the remaining areas of Local Wildlife Sites that are to be impacted, or any nearby. This method of mitigation can typically be achieved quickly, reduces the timescale of impacts, conserves existing ecological resources, and can reduce the area of agricultural land required for habitat creation. The promoter has stated that their approach to HS2 Phase 2 will include seeking, where possible, a strategic approach to mitigation, subject to agreements, including improving the value of existing Local Wildlife Sites as part of biodiversity offsetting. The petitioner welcomes this approach and requests that it be officially adopted for HS2 Phase 1 London – West Midlands.

Bats

12. Impacts on the assemblage of bats using the Trent and Mersey Canal and adjacent woodlands (Ravenshaw Wood, Black Slough, the Slaish and Fradley Wood) will result in an adverse effect on the conservation status of the assemblage, which is significant at a regional level. The petitioner requests that the proposed mitigation for, and monitoring of, bats is improved. The petitioner requests a working group is set up with appropriate local and national bat experts to contribute to the plans for this area.

Mammals

13. Only legally protected mammal species have been surveyed for and impacts assessed. The petitioner requests that impacts to priority species present in Staffordshire along the railway route (Brown Hare, Polecat, Harvest Mouse and Hedgehog) as well as all deer species, are properly assessed using existing data, habitat assessment, identification of habitat fragmentation and additional surveys where appropriate. Where impacts are identified, the petitioner requests the promoter proposes specific mitigation and compensation measures in those areas.
Birds

14. The petitioner believes that impacts to priority bird species, particularly farmland birds, have not been adequately quantified, and that some impacts particularly temporary habitat losses will not be adequately compensated. The petitioner requests a mitigation and compensation strategy is devised to provide short and medium term compensation for priority birds.

The prayer

15. The petitioner therefore asks the House of Lords that we, or someone representing us in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF WARWICKSHIRE COUNTY COUNCIL

Declares that:

1. The petitioner and its property, rights and interests in its area and the inhabitants of its area would be injuriously and prejudicially affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

The petitioner

2. The petitioner is the local authority for the County of Warwickshire (“the County”) and has been invested by Parliament with a number of important powers and duties in relation to the interests of the inhabitants of its area. Amongst other functions of the petitioner is that of the education authority, the local planning authority in respect of minerals and waste, and the highway authority for all existing or proposed public highways in the County, except for those which are the responsibility of the Secretary of State. In addition, the petitioner is the traffic authority for most roads in the County.

3. The Bill would authorise the compulsory acquisition of certain interests in land or property of the petitioner, to which it objects, and in accordance with the standing orders of your right honourable House, notice has been served on the petitioner of the intention to seek such compulsory powers.

Recovery of costs

4. Before, during and after the period when the works authorised by the Bill are to be constructed, the petitioner will undoubtedly continue to hear from residents and businesses who have queries, complaints, comments and suggestions about HS2. The petitioner is confident that will be the case, given its experience so far, before and during the promotion of the Bill. This will take up officer time and will therefore give rise to a considerable financial burden on the petitioner.

5. The petitioner has been in discussions with the promoter about the issue of cost recovery generally, and a good level of agreement has been reached. For example, the promoter has agreed to reimburse the reasonable costs of the petitioner in dealing with matters relating to planning and highways. However, the promoter has not agreed to reimburse the costs described in paragraph 4. One of the reasons for this is that it relies on the government “new burdens” doctrine, which describes the circumstances under which the government will fund local authorities in cases where a new central government policy or programme gives rise to a financial impact on them. A second reason given by the promoter is that it does not agree with the petitioner that the type of public engagement described in paragraph 4 will arise, because residents and businesses will only direct their enquiries to the nominated undertaker, the proposed construction commissioner, or to other bodies established by the promoter. The petitioner’s experience so far is that the residents and businesses still turn to the local authority for help and advice, rather than to the promoter, not
least because of the promoter’s undistinguished record on public engagement, as noted in the recent report of the House of Commons Public Administration and Constitutional Affairs Committee.

6. So far as the petitioner is concerned, the provision of advice and assistance to the public about HS2 undoubtedly created and will continue to give rise to a financial burden on the petitioner which it would otherwise not have. Therefore the petitioner asks that the promoter be required to reimburse those costs. If the promoter is confident that the costs will not arise, then the petitioner cannot understand why the promoter will not agree to that.

Ecology

7. The petitioner has some remaining concerns about the way in which the impact of the construction and operation of HS2 on ecology in the County will be mitigated. One of those concerns is about the identity and remit of a body to review the net loss metrics that have been used by the promoter. The government has appointed Natural England to carry it out. The petitioner is disappointed that representatives from local authorities, local wildlife trusts and the Woodland Trust will not be directly involved in the review and asks that this be reconsidered.

8. The promoter has agreed to establish an ecological review group which, according to the latest draft Environmental Memorandum produced by the promoter, will be formed for the specific purpose of reviewing the outputs from the ecology monitoring programme once the proposed railway is operational. The petitioner believes that this will be too late, and that the review group should be established as soon as possible, and that its remit should be altered so that it is able to make recommendations about the design of the railway and the proposed ecological mitigation before and during the detailed design process. The promoter and the nominated undertaker should be required to co-operate with the ecological review group and have due regard to its findings when designing, constructing and operating the works authorised by the Bill. This should include, but not be limited to, meaningful consideration of reasonable proposals for additional specific ecological measures, including new or improved green infrastructure within the Bill limits if recommended by the group. There should be improved consistency of approach along the line of the proposed railway in respect of these matters, and the group should be tasked with reporting to the select committee of your right honourable House before it concludes its hearings. Again, representatives from local authorities, local wildlife trusts and the Woodland Trust should be invited to be members of the group.

Water Orton School

9. During the passage of the Bill in the House of Commons, agreement was reached in principle with the promoter about moving the primary school in the village of Water Orton to a new site, in order to avoid the impacts of construction that would otherwise be experienced. The detailed agreement that is necessary to implement the move has not been completed because the promoter is insisting on certain provisions that the petitioner considers to be unreasonable. Unless agreement is reached on these issues, the petitioner may have to address the select committee of your right honourable House about them.

General

10. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of the petitioner and other clauses and provisions necessary for its protection and benefit are omitted therefrom.
11. There are also other matters which may be taken up by other local authorities in their petitions and which are of general concern to local authorities along the route of the proposed railway. The petitioner may lend its support to those local authorities should they present a case to the select committee of your right honourable House.

The prayer

12. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for Warwickshire County Council

18 April 2016
To the House of Lords  
Session 2015–16

PETITION against the  
High Speed Rail (London – West Midlands) Bill

THE PETITION OF WENDOVER CRICKET CLUB

Declares that:

1. The petitioner is specially and directly affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

The petitioner

2. The petitioner is Wendover Cricket Club. It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of the petitioner, to which it objects, and in accordance with the standing orders of your right honourable House notice has been served on the petitioner of the intention to seek such compulsory powers.

3. The petitioner is represented by its management committee and trustees. The Club was formed in 1865 and the purposes of the Club are to foster and promote participation in the amateur sport of cricket within the community, providing facilities for playing cricket, opportunities for recreation, coaching and competition and other sports and recreations. The Club runs up to seven junior teams, three senior teams, a Village Cup for local organisations consisting of twelve teams, together with an associated Bridge Club and fund raising 200 Club, as well as links with local schools; to enable all this to happen, the club operates from two grounds which are in close proximity to each other. The petitioner owns the freehold of the property at Ellesborough Road, as well as leasehold property at Witchell.

4. The petitioner’s freehold property is within the limits of land to be acquired and used as shown on the plans deposited with the Bill, and the property is therefore liable to compulsory acquisition under the Bill.

5. The property currently comprises a cricket ground, pavilion, practice nets, a machine shed (for storage of mowers, ground maintenance equipment etc.), car parking and pasture, together with outbuildings for livestock. The effect of the Bill will be the closure of the cricket ground and the extinguishment of the club in its current form. This would bring about a very significant change and decrease in its activities, unless an alternative solution is found.

6. The scheme’s effects on the petitioner are described in the Supplementary Environmental Statement (“SES”) which accompanied Additional Provision 2. They are described as follows –

"The Bill provides land for the permanent construction of Wendover green tunnel and associated temporary works within part of Ellesborough Road cricket ground and pavilion, on the west side of the route approximately 100m to the north-west of Pound Street, Wendover. This requires the loss of the cricket ground and the demolition of the
Since submission of the Bill, a proposal by Wendover Cricket Club to relocate the cricket ground and the provision of a new pavilion at an alternative location has been considered. The location proposed is adjacent to the B4009 Tring Road and south of Halton Community Combined School, approximately 1km to the north-east of the existing cricket ground .... It will accommodate cricket pitches, a single storey pavilion, a single storey scoreboard and grassed car park. The existing pitch is not floodlit and the proposed pitch is not proposed to be floodlit". (Paragraphs 5.6.1 – 5.6.2 of CFA 10).

7. The petitioner requests that the Secretary of State provides equivalent facilities to current England & Wales Cricket Board ("ECB") standards, viz:

(a) The new land being of a suitable shape, layout, gradient and topography and being divided into two playing areas, to conform with ECB guidelines, and for the main playing area to be suitable for senior league cricket.

(b) The main playing area should provide a square of 12 pitches or "strips".

(c) The second and smaller playing area should provide an artificial playing pitch or ‘strip’ (and optionally three grass pitches).

(d) Fully drained playing areas, both of which are equipped with a water supply to the pitches.

(e) An adjacent pavilion, providing changing rooms, showers, toilets, kitchen, bar and ancillary areas, which is fully serviced with water and electricity and with suitable drainage provision, and a replacement scoreboard of at least similar size and quality to the existing one, all conforming to ECB standards to suit the two playing areas being used / played on concurrently.

(f) A machine shed of similar or better size and quality suitable for safely and securely housing the ground maintenance equipment.

(g) Four modern practice nets.

(h) Suitable contiguous car parking which is shielded, for 70 vehicles, as well as a suitable access road from the public road. If a grassed car park is to be provided, the petitioner requests one of suitable construction and drainage to suit the expected usage.

8. The reasons for the two playing areas in the new location are due to:

i) The existing land that will be compulsorily purchased at the Ellesborough Road Ground is sufficient for two playing areas.

ii) The much greater distance between the Halton site currently proposed by the Secretary of State and the petitioner’s Witchell ground.

iii) The sharing of ground maintenance equipment between the two existing grounds which, because of the distance to the relocation site, is unlikely to be practicable, would certainly be more costly and require additional and/or alternative equipment.

9. These reasons are expanded on in paragraphs 11 to 14 below.
10. The SES goes on to state —

"The new cricket ground at Halton may not be functional before Ellesborough Road cricket ground is demolished so Wendover Cricket Club could be without a full size cricket pitch for up to two years. This would cause disruption to adult matches and other activities, which would temporarily cease. Given that the resource is well used and valued by the community, this new temporary effect is considered to be major adverse and is significant.

The provision of an alternative full-sized cricket ground in Halton will, however, remove the significant permanent effect .... The new site is not within central Wendover, but all facilities lost at Ellesborough Road will be re-provided in Halton for use by Wendover Cricket Club. Given this, the permanent effect is considered to be minor adverse and is therefore not significant". (Paragraph 5.6.30)

11. The petitioner is concerned about the timescale involved in a relocation to Halton, as any new ground will need to be fully prepared with new turf, pitches/ strips, drainage and left but still maintained in accordance with ECB guidelines before play is possible. The petitioner has estimated that, after the installation of the 12 pitch square, this process will take 18 to 24 months. The petitioner has been fully informed of this 5 years ago in the petitioner’s letter dated 7 May 2011, and this has been reiterated in subsequent letters and discussions. The petitioner does not want to be forced to have a break in any of its cricketing activities because a new ground is not available due to delays by the promoter. Furthermore, temporary relocation is not an option the petitioner would be happy with.

12. Clearly, being without a main cricket ground for around 2 years would be disastrous to the petitioner, for both junior and senior cricket. The petitioner therefore requests that any transfer to a new ground occurs at the same time as possession of Ellesborough Road is taken by HS2 so that there is no interruption in cricket playing and the new ground is provided in a fully equipped and playable state and condition. The SES states that HS2 Ltd. is seeking an agreement which may enable the replacement cricket ground and pavilion to be brought forward at an earlier date. The petitioner hopes that a satisfactory agreement, meeting the concerns described in this petition, can be completed as soon as possible. If the two playing areas requested at paragraph 7 are provided, even if the main playing area is not fit to play in time, the second playing area could be used as a temporary solution.

13. The petitioner is also concerned about the distance between the proposed site at Halton and the facilities at Witchell. For instance, currently, players and members switch easily between Witchell and Ellesborough Road, often walking between the two sites. They would not be able to do that easily between Halton and Witchell. The distance between these two locations could change fundamentally the way the club is run and there is a risk that the club would no longer feel like a single entity but more like two clubs. Paragraph 7 describes how this should be addressed.

14. The petitioner is also concerned about the construction and operational effects of the scheme on cricket (especially at junior level) at the Witchell ground. For instance, the effects of noise, dirt, dust, and other inconveniences such as road closures etc. during the construction of the line, as well as the noise that will emanate from the line and trains once it is operational. Providing a single location with the facilities listed in paragraph 7 would address and mitigate this concern.

15. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect the petitioner and its rights, interests and property and for which no adequate provision is made to protect the petitioner.
The prayer

16. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for Wendover Cricket Club
18 April 2016
To The House of Lords  
Session 2015 – 16  

PETITION against the  

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL  

THE PETITION of  
(1) Lord Richard Wellesley  
(2) Lady Joanna Wellesley  
(3) Mrs Sarah Wood  
(4) Mrs Natasha Halliday  
(5) Mr Tom Halliday  
(6) Mr Stephen Goodwin  

Declares that:  

1. Your Petitioners are specially and directly adversely affected by the whole Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.  

2. It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of your Petitioners, to which they object, and notice has been served on your Petitioners of the intention to seek such compulsory powers.  

3. Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which they object for reasons amongst others, set out below.  

The Petitioners  

4. Your Petitioners are:  

(a) Lord Richard Wellesley and Lady Joanna Wellesley (‘the Owners’) as freehold owners of Stutchbury Manor Farm, a farm on the Marston St Lawrence Estate which is situates near Brackley in Northamptonshire (in respect of plots 1, 4, 5, 6, 7, 8, 9 and 11 in the Parish of Marston St Lawrence);  

(b) Lord Richard Wellesley, Lady Joanna Wellesley and Mrs Natasha Halliday (‘the Partners’) as partners in the Marston St Lawrence Farm Partnership: a farming business (in respect of plot 14 in the Parish of Marston St Lawrence and plots 86, 89, 91, 98 and 99 in the Parish of Greatworth);
(c) Lord Richard Wellesley, Lady Joanna Wellesley and Mrs Sarah Wood (‘the Trustees’) as Trustees of Lady Joanna Wellesley’s 1987 Children’s settlement (in respect of plots 13, 15, 17 and 23 in the Parish of Marston St Lawrence and plots 3 and 8 in the Parish of Thorpe Mandeville);

(d) Mr Stephen Goodwin as tenant of The Trustees (in respect of plots 13, 15, 17 and 23 in the Parish of Marston St Lawrence and plots 3 and 8 in the Parish of Thorpe Mandeville); and

(e) Lord Richard Wellesley and Mr Tom Halliday (‘the Directors’) as directors of Marston Power Limited (‘MPL’)

5. Your Petitioners petitioned against the Bill (and against Additional Provision 4) in the House of Commons and are in the process of negotiating an agreement with the Promoter. The Petitioners trust that the agreement will be completed satisfactorily shortly and hope, therefore, that it will not be necessary to appear before the House of Lords Select Committee on this petition.

The Marston Estate

6. The Marston Lawrence Estate (‘the Estate’) was assembled by Lady Wellesley’s father and the majority of the Estate is now owned absolutely by the Owners. It is a traditional farming estate occupied as both a business and a home for many years.

7. The Stutchbury Manor Farm (‘the Farm’) is farmed by the Partners. The Farm is an arable and dairy farm, including a 150 dairy unit. The farm will be bisected by HS2 during the works to construct the Greatworth Green Tunnel, programmed to be undertaken over a six and a half year period. 41.7ha (c.100 acres) of the farm’s grass and arable land is required by the Promoter during the works, and the scale of construction effect is identified in the Promoter’s Environmental Statement as “major/moderate adverse due to proportion of holding required, severance during green tunnel construction and high sensitivity of holding”. The consequences to management of the farm as a whole and the dairy unit in particular are significant.

8. Upon completion of the Greatworth Green Tunnel 39.7ha is proposed to be returned to the Partners, however the Promoter has not provided any information about ownership and occupancy arrangements subsequent to completion of the works. Your Petitioners also have concerns about the effect of the HS2 works on the quality of the land to be returned to them, as the methodology for soil storage and reinstatement has not been specified.
9. The Farm grows arable crops and maize in a rotation for both the dairy unit and MPL’s Anaerobic Digestion Plant (‘AD Plant’). Much of the land growing maize for both businesses is to the south of the Estate; uninterrupted access for these businesses is critical and must be maintained without interruption to prevent disruption to the businesses.

10. MPL operates from a site adjoining the dairy unit at Stuchbury Farm with the benefit of a 21 year lease granted in March 2012. This represents a £3 million investment by the Owners and MPL in a Green renewable energy enterprise. No land is being taken from MPL, however access between the AD Plant and the maize being grown to power it will be affected by the HS2 proposals, which could have a significant impact on MPL’s ability to operate the AD Plant should there be any interference with crucial activities including the harvest and delivery of maize and the spreading of digestate.

11. Part of the Estate is in the separate legal ownership of the Trustees and includes two let farms and other let residential properties. The Trustees’ ownership includes Home Farm and Costow Farm, which are currently let under a single tenancy to Mr Goodwin. Both of Mr Goodwin’s farms are currently capable of being let and farmed independently of one another, however the effect of the HS2 land-take will mean that Costow Farm will not be capable of being let and farmed independently in the future.

12. 20.2ha (c.49acres) of land is proposed to be permanently acquired from Costow Farm, an arable and livestock unit. The land is included in the Bill for the purpose of the Greatworth Green Tunnel North Portal and associated infrastructure, the railway and for environmental mitigation purposes.

13. The Owners and The Trustees also own other property close to the proposed route of the railway which is the subject of the Bill.

14. The Owners, the Trustees, the Partners and Mr Goodwin are very concerned, amongst other aspects of the proposals, about the impact of HS2 on water supply: both the Trustees and the Owners provide spring-fed pumped water supplies to the Farm and Costow Farm respectively. There are also historic field under-drainage systems which serve the farms. The heavy soil in the locality requires drainage and there is great concern at the impact on field drainage of returned restored land with a tunnel traversing the spring line.
Your Petitioners' concerns

Hydrological and soil effects

15. Your Petitioners are concerned that local field hydrology and under-drainage has not been investigated.

16. There will be significant disturbance to soil structure; for instance, top and subsoil may be mixed, there is a risk of compaction, a change in levels and other factors will alter the natural drainage patterns. The fields contain under-drainage systems to assist the natural drainage and enable later autumn or earlier spring cultivations. The HS2 line will sever pipe runs to mains and ditches.

17. Your Petitioners are concerned that there is no commitment by the Promoter to prepare models to anticipate the potential effect of the works on soil structures or drainage systems, or to agree mitigation measures with the Petitioners in advance of commencement of the works.

18. Your Petitioners therefore request that a detailed local hydrological survey is carried out of the current hydrology, with models made to anticipate the potential effect of the scheme, and mitigation measures agreed with your Petitioners and incorporated into the scheme's design. Your Petitioners also request that a soil management survey is carried out on similar terms.

RAM survey

19. The scheme design has not taken account of the Trustees' RAM water supply system used by Mr Goodwin in his farming system. This could potentially leave Costow Farm without water.

20. The Owners' and Partners' water supply at the Farm is from a pumped spring-fed supply and the Petitioners are gravely concerned at the disturbance that the tunnel excavations may cause to underground watercourses.

21. RAM powered siphon-gravity systems are almost impossible to move and it appears that the Greatworth Green Tunnel North Portal removes the critical highest point of the system, which would cause a reduction in water pressure throughout the system.

22. The impact on water supply to the Farm has been assessed only by a desk-top hydrology assessment which concluded that there was potential for disruption.
23. Your Petitioners note that surveys will be undertaken to identify water supplies in advance of the commencement of works, however your Petitioners are concerned that no commitment has been provided by the Promoter in relation to the monitoring of water supplies during the carrying out of the works or upon completion of the works to anticipate or provide for any impact on the spring systems. Your Petitioners are also concerned that no commitment is provided by the Promoter to provide any corrective measures subsequent to completion of the works in the event of disruption to water supplies caused by the works.

24. Neither the Farm's dairy unit nor the livestock enterprise at Costow Farm could continue without these water supplies. Furthermore, there would be a grave threat to the feasibility of MPL's Anaerobic Digestion Plant without this water supply, which could result in significant losses which are not currently capable of being compensated under the provisions of the Compensation Code.

25. Your Petitioners therefore request that a survey is undertaken to investigate options to maintain a functioning RAM during and after the construction of the Authorised Works and that the Promoter undertakes to use reasonable endeavours to provide alternative arrangements to maintain the functioning of the RAM before commencement of the Authorised Works. If the RAM supply cannot be maintained, your Petitioners request that the Promoter provide alternative arrangements for the supply of water.

Greatworth Green Tunnel

26. Your Petitioners are concerned that there is no proposal for the title basis upon which land will be returned to the Owners after completion of the works to construct the Greatworth Green Tunnel. Your Petitioners request that, on completion of those works, the Promoter agrees to grant the Petitioners a lease, at a peppercorn rent, over the Green Tunnel land.

27. Moreover, the Promoter has indicated that the load bearing capacity of the land above the Greatworth Green Tunnel will be sufficient for agricultural vehicles to operate. It is not clear what the practical and operational limitations may be on this and whether there may be limitations which will affect the business.

28. Your Petitioners request that the Promoter undertakes to use all reasonable endeavours to ensure that the restored land will be capable of being used for the same agricultural purposes to those for which it is presently used and the Promoter shall provide accommodation works to enable the Partners to access any of their retained land which would otherwise be severed.
**Effects on traffic**

29. Your Petitioners are concerned at the potential for interference with, in particular, maize harvest agricultural traffic. For instance, the Anaerobic Digestion Plant is fuelled by maize which is harvested in mid to late October over two weeks from fields further south and ‘clamped’ on site. This involves up to 800 tractor and trailer movements over a short period of time. The weather at the time of year can mean that if the opportunity is missed because of the inability to move the maize for whatever reason the maize can be lost.

30. Your Petitioners request that the Promoter engage with the Petitioners on the timing and impact of the carrying out of works in their area and shall give the Petitioners not less than 28 days’ notice of those works. Your Petitioners also request that the Promoter uses best endeavours to ensure that the Petitioners’ agricultural and other vehicles can pass and re-pass along Welsh Lane without obstruction throughout the period when these works take place.

**Extent of land take**

31. Your Petitioners are concerned by the prospect of the Promoter acquiring permanently land which is only required on a temporary basis. Your Petitioners therefore request an assurance that the Promoter will not use the powers conferred by the Bill to acquire permanently, nor occupy temporarily, more of the Petitioners’ land than is required for the timely and economic delivery of the Authorised Works.

**General**

32. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect the Petitioner and its rights, interests and property and for which no adequate provision is made to protect the Petitioner.
The prayer

33. The Petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioner remains, etc.

SHARPE PRITCHARD LLP

Agents for

Lord Richard Wellesley
Lady Joanna Wellesley
Mrs Sarah Wood
Mrs Natasha Halliday
Mr Tom Halliday
Mr Stephen Goodwin

18 April 2016
PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF THE WEST LONDON WASTE AUTHORITY

Declares that:

1. The petitioner and its property, rights and interests in its area and the inhabitants of its area would be injuriously and prejudicially affected by the provisions of the Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

The petitioner

2. The petitioner is the statutory joint waste disposal authority for its constituent six London boroughs (Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond) responsible for, inter alia, managing and disposing of municipal waste arising from 1.6 million residents of west London.

3. The Bill would authorise the compulsory acquisition of certain interests in land or property of the petitioner, to which it objects.

4. On 27th November 2013 the petitioner completed the procurement of a large scale, 28 year public private partnership contract (the "PPP contract") with a consortium led by SITA UK Limited (whose name has since changed and for the purposes of this petition are referred to as "Suez") for the long term management and treatment of waste at an energy from waste facility in South Gloucestershire. Under the terms of the PPP contract, the petitioner’s existing waste transfer station ("the Transfer Station") at Victoria Road, South Ruislip, HA4 0YP will be redeveloped, and the local planning authority, the London Borough of Hillingdon, granted planning permission for that development on 13th February 2014 (Planning permission no. 18124/APP/2013/1723) following submission of a planning application on 21st June 2013. The petitioner and Suez have plans for further development of a facility to bulk waste at the site, of which the promoter is aware.

5. The Transfer Station receives and transfers from road to rail the residual (non-recyclable) waste arising from four London Boroughs and around 800,000 people. It has fulfilled this function for over 30 years and under the terms of the PPP contract, it must do so for the next 26 years. To this end, the petitioner cannot accept any risk to site operations at the Transfer Station arising from HS2.

6. The land in which the petitioner is shown in the book of reference as having an interest consists of plots numbered 45 to 50 in the London Borough of Hillingdon. Plots 46 to 49 comprise a private access road called Civic Way and plots 50 and 51 (the latter of which the petitioner is not shown as having any interest in) comprises land within which the Transfer Station is located. The petitioner have full rights to use Civic Way for access. Suez’s proposal is partly predicated on the ability to take in third party and commercial waste, so that will mean vehicular access will need to be maintained not only for the local authorities' waste collection vehicles, but private contractors as well.
7. No indication is given in the Bill or the supporting documentation about what Civic Way is to be used for, but Schedule 6 to the Bill says that the adjoining plots 50 to 51 may be used for the provision of access for construction and maintenance of utility diversions. It can be assumed that Civic Way will also be used for those purposes, on a shared basis with other existing users. Some comfort is given to the petitioner in that section 5(3) of and Schedule 8 to the Bill would restrict the scope of the Secretary of State's power to acquire plots 47 to 49 compulsorily by only enabling him to acquire rights in the land, but that by no means meets the petitioner's concerns.

8. The petitioner is gravely concerned about the proposals in the Bill which, if left as drafted, could have, inter alia (a) a serious impact on the operation of the Transfer Station by Suez; (b) financial impact on the petitioner under the terms of the PPP contract and (c) impact on future development, including the proposed facility to bulk waste. The petitioner is particularly concerned to ensure that the use of Civic Way by HS2 vehicles does not interfere with the operation of the Transfer Station and that the Nominated Undertaker will take measures to prevent damage by its vehicles to Civic Way and the Transfer Station site and remedy any damage caused. The petitioner is keen to understand what Civic Way will be used for, what sort of vehicles will be using it and at what times, whether the acquisition of rights is intended to be permanent or temporary, and if temporary for how long, and when the acquisition and construction works is to take place. The petitioner is also very concerned to ensure that the route along which HS2 vehicles pass through its site during construction and afterwards does not conflict with the operation of the site and the site of the proposed facility to bulk waste.

9. To meet its concerns in relation to Civic Way and the Transfer Station, the petitioner expect the promoters to come forward with satisfactory proposals with which the petitioner can agree. Negotiations have taken place and a good level of agreement has been reached. But in case final settlement does not happen, the petitioner will ask your right honourable House to amend the Bill or require the promoters to come forward with proposals that provide protection for the petitioner in relation to the matters raised above, including (but not limited to) ensuring that there is no disruption at any time to the daily operation of the Transfer Station, covering any costs incurred by the petitioner in reinstating the route used by the Nominated Undertaker's vehicles to its former condition, and reimbursing any costs arising in respect of disturbance to the petitioner's and SUEZ's services.

10. In addition to the impact of the proposals in the Bill on Civic Way and the Transfer Station, the petitioner is also concerned about the potential impact of ground settlement arising from the tunnelling of the proposed railway so close to the Transfer Station, and in particular on the railway sidings on the site and the concrete slabs comprising much of the surface of the site. Again, the petitioner expect the promoters to come forward with proper proposals for the protection of the petitioner's interests, but in case not, the petitioner ask your right honourable House to amend the Bill or make requirements of the promoters to indemnify the petitioners against any damage to the existing site arising from the promoters' activities and to ensure that proper schedules of condition are carried out before and after the tunnelling takes place, that monitoring of the petitioner's property is carried out during and afterwards and that any remedial action necessary is carried out promptly and that the costs of all these measures is borne by the promoters or the Nominated Undertaker.

General

11. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of the petitioner and other clauses and provisions necessary for its protection and benefit is omitted therefrom.
The prayer

12. The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

SHARPE PRITCHARD LLP
Agents for the West London Waste Authority

18th April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF COUNCILLOR MARYAM ESLAMDOUST, COUNCILLOR THOMAS GARDINER AND COUNCILLOR DOUGLAS BEATTIE

Declares that:

1. The petitioners are specially and directly adversely affected by the whole Bill

2. Your petitioners

The petitioners are London Borough of Camden residents and Councillors of Camden Town Hall, Members Room, Judd Street, WC1H 9JE, whom represent thousands of residents of Kilburn ward of the London Borough of Camden who will all be affected by tunnelling directly underneath their homes (more than 500 of the homes affected are Grade II* listed apartments and maisonettes), the construction of an enormous vent shaft next to their homes (which will entail the demolition of Grade II listed shops, homes and industrial units), years of construction disruption and other affects of the scheme. As councillors, the petitioners are custodians of council property on behalf of the people of the Borough, the Bill proposes the destruction of some of this property for the construction of the railway and potential damage to thousands of council owned properties.

The Petitioners are also personally affected as residents of the Borough of Camden and people who work in Kilburn ward, by the disruption to local transport (including severe disruption to the direct transport links between Camden Town Hall and Kilburn ward, which they use daily in the course of their work), construction traffic, road closures, blockage of access routes into their ward, in particular blocking access to the Alexandra and Ainsworth estate.

3. Your petitioners' concerns

The construction phase of HS2 will entail heavy HGV traffic to this area, causing road closures, congestion, traffic diversion and parking suspension for many years. This will in turn have detrimental impact on air quality due to heavy HGV traffic, dust and green demolition. Of particular concern is the use of the roadway at Alexandra Place as a HGV waiting and marshalling area, which will directly impact surrounding residents and businesses.

The petitioners are gravely concerned by the structural and vibration impact of tunnelling underneath all homes and specifically the tall blocks which have not had structural surveys to assess subsidence or vibration impact. This is particularly of concern with regard to the tunneling under Mary Green tower and Rowley Way, but also give rise to concern under all buildings in the Kilburn ward.
The construction of an enormous ventilation shaft further entails demolition of essential amenities such as commercial and residential units, planted walkway and vegetation. The buildings earmarked for demolition and the surrounding buildings have recently been listed due to their architectural importance, the Bill provides for their de-listing and therefore the loss to the nation and community of these important buildings.

The construction of the ventilation shaft will entail years of noise pollution in a densely populated community most notably on two sheltered accommodation blocks for older people and a residential college for disabled pupils all within 50 meters of the shaft.

The petitioners are further worried on the detrimental impact of HS2 and the vent shaft on the cultural heritage and landscape of Grade II* listed Alexandra and Ainsworth Estate, which has had Heritage Lottery funding to improve the landscaping and green space on the site prior to HS2 works commencement.

The Bill fails to provide for any adequate compensation for urban residents directly affected by the works the Bill will entail.

The Bill will entail seizure of private land of essential use to its owners and occupiers.

The petitioners urge you to consider the impact of HS2 tunnelling and ventilation shaft construction on thousands of homes' potentially required or otherwise have their utilities and amenities affected for many years, many of whom are senior citizens in sheltered accommodation, disabled and social tenants with no opportunity to move.

The Petitioners and their interests are injuriously affected by the Bill, to which The Petitioners object for reasons amongst others, appearing here.

The Bill includes powers for the Secretary of State and the Nominated Undertaker to undertake works of construction which are estimated to take 10 years to complete and will include lorry movements, creation of dust and noise, poor air quality, adverse visual Impact and 24 hour working leading to sleep deprivation and health issues in a ward with the lowest life expectancy in the borough of Camden.

The problems that emerge from the scheme in Kilburn ward include: The construction of a ventilation shaft in close proximity of homes; demolition of essential amenities such as the only launderette in a neighbourhood where hundreds of homes have no laundry facilities; blocking of access to an estate housing over 1000 residents; endangering the newly established further education college for disabled young adults; a headhouse which will blight one of the most important modern architecture conservation areas in the UK; demolition of newly listed buildings; tunnelling under thousands of homes; untested effects on the unique foundation design of several buildings; heavy traffic for a number of years; disruption to local transport services; and a failure to compensate affected residents.
The Petitioners object to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submit that the Bill should be amended or undertakings should be required to be given so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works activities by putting weight on their cumulative impacts on area communities, and come forward with necessary changes arising from that review before works packages design and tendering strategies have been finalised.

Further these alternatives should be considered:
- the ventilation shaft at Alexandra Place should not be built at all, as it is not necessary to have shafts at such regular intervals according to the engineering reports on the line by Arup;
- the ventilation shaft should be relocated to an alternative site which does not affect so many residents so directly and injuriously;
- the line should be re-routed either to run underneath the City of Westminster, as originally envisaged (which would affect far fewer homes), or to run underneath the West Coast Main Line, avoiding tunnelling under Kilburn homes (this would not affect the operation of the line as the trains on the line are already running at reduced speeds at this point);
- the headhouse should be designed in a way which closely complements existing buildings adjacent to it;
- the headhouse should have active business uses built into it at ground floor level;
- construction traffic should use the existing rail lines instead of roads; essential amenities should be re-provided locally before work begins; compensation should be offered to Kilburn residents on terms at least as good as rural residents who are affected;
- detailed survey of the effects on the buildings and foundations along the route should be carried out before work commences, in particular on Rowley Way and on Mary Green tower;
- the line should temporarily stop at Old Oak Common until such times as the plan can avoid the outlined negative impacts on Kilburn;
- a guarantee should be made that no local transport will be disrupted and that in particular the 31 bus route and the London Overground services from South Hampstead and Kilburn High Road stations will run without interruption;
- a more appropriate loading, waiting and marshalling area should be located for HGV traffic.

There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect the Petitioners and their rights, interests and property and for which no adequate provision is made to protect The Petitioners.

4. The prayer

The petitioners therefore asks the House of Lords that they in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence...
on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

COUNCILLOR MARYAM ESLAMDOUST

COUNCILLOR THOMAS GARDINER

COUNCILLOR DOUGLAS BEATTIE

18th April 2016
To the House of Lords

Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF

Bleep (UK) Plc, 1 Rowan House, 9-31 Victoria Road, London NW10 6DP of John Wellman, Srdan Kulisic, Gordon Bolton and

Robson Walsh Chartered Surveyors, 2 Rowan House, 9-31 Victoria Road, London NW10 6DP of Maurice Walsh MRICS, BSc (Surveying), Philip Robson FRICS, Nigel O'Doherty FRICS, Mark Donaldson, Sharan Bhangoo MRICS, Andrew Brookfield MRICS and

Lisap (UK)Ltd, 2 Rowan House, 9-31 Victoria Road, London NW10 6DP of Kenneth Bieber, Marilyn Bieber and

Gillhams Solicitors, 3 Rowan House, 9-31 Victoria Road, London NW10 6DP of Russell Caller, Anthony Krickler, Christopher Poxamatis, Hina Tailor, Lisa Cornish

Costside Limited c/o 2 Rowan House, 9-31 Victoria Road, London NW10 6DP of Maurice Walsh, John Wellman and Russell Caller
Your Petitioners declare that:

1. Many of the petitioners whose names appear above brought a petition before the Commons. The merits of the petition could not be considered and it was thought that the matter should be presented before the Lords.

2. The development proposals for Rowan House are, as yet, unknown. The London Borough of Ealing (the local authority in this area) is in the process of considering whether a road widening scheme and a large roundabout is required on the section of Road immediately abutting Rowan House.

3. The petitioners believe that a planning application in respect of Nash House provided opportunity for the Borough to provide for road widening and a large roundabout.

4. Your petitioners will be adversely affected by any road widening scheme on that part of Victoria Road which immediately abuts Rowan House.

5. As the Road widening study required of the London Borough of Ealing has not been published your petitioners cannot provide any level of detail in support of their petition.

6. Your petitioners accordingly pray the Lords that on receipt of the road widening study of the London Borough of Ealing and hopefully before this matter comes for consideration before the Lords to provide a supplementary report in expansion of this petition.

7. Your petitioner own land at and run businesses at Unit 1, 2 and 3 Rowan House. There are approximately 80 people employed. The annual turnover from the businesses at Rowan House is in the order of £6.5 million the annual amount collected in VAT is in the order of £1.3 million. The estimated annual contribution in all taxes is estimated to be in the order of £2.6 million.

8. Your petitioner's concerns

The High Speed Rail (London – West Midlands) Bill provides for the compulsory purchase of Units 1, 2 and 3 Rowan House, 9 to 31 Victoria Road, London NW10 6DP. The decision as to whether HS2 should proceed with compulsory purchase is delayed and rests upon the outcome of a road study currently being undertaken by the London Borough of Ealing.
The petitioners believe that there was adequate opportunity on previous planning consent in the vicinity of Rowan House to provide road widening and a large roundabout.

Your petitioners are concerned that Rowan house is considered for compulsory purchase without reason and before the outcome of a local authority traffic study. Your petitioners believe that HS2 should first have good reason prior to their action.

The petitioners believe that their position is given scant regard and consideration by HS2 and are concerned that they have had no opportunity to have their position considered before the higher authorities. The road proposals are not available even on the last date upon which a petition to the Lords may be made.

9. The prayer

Your petitioners pray the Lords that on receipt of the road widening study of the London Borough of Ealing and hopefully before this matter comes for consideration before the Lords to provide a supplementary report in expansion of this Petition.

Your petitioners ask the House of Lords that Maurice Walsh, John Wellman and Russell Caller or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner* remains, etc.

[each petitioner (or his Agent) MUST sign (or seal) the petition here] Print the name of the person signing below each signature (and add “Agent” if appropriate)

John Wellman

Srdan Kulisic

1 If the petition is not signed by the appropriate person it will not be accepted by the Lords Private Bill Office (see How to petition against a hybrid bill in the House of Lords: Petitioning Kit Guide)
Gordon Bolton

Maurice Walsh MRICS

Philip Robson FRICS

Nigel O'Doherty FRICS

Mark Donaldson

Sharan Bhangoo MRICS

Andrew Brookfield MRICS

Kenneth Bieber

Marilyn Bieber

Russell Caller

Anthony Krickler

Christopher Poxamatis

Hina Tailor

Lisa Cornish

dated this 18th day of April 2016
PETITION against the

High Speed Rail (London-West Midlands) Bill

THE PETITION OF David George Upcott

Declares that

1. The petitioner is specially and directly adversely affected
a) By the absence of the protection from the negative effect on Human Health from the proposed use of Diesel HGV from the construction sites and subsequent associated traffic problems
b) Failure of HS2 to conform to the Equality Act 2010

2. The petitioner is a retired person who is owner of a property in Ruislip.

3. Your petitioners' concerns which the Sitt may specially and adversely affect his physical and health and welfare. Alternatives are suggested on page 4 of this petition.
The reason for this petition is two fold

A  Health and Welfare of residents has not been fully examined
B  Failure to comply with the requirements of the Equality act 2010

Health and Welfare

The damaging effect on the mental and physical health of the residents of Ickenham, Ruislip and Harefield. This damage will be due the intention by HS2 to use Diesel Heavy Good Lorries. The residents are now told they will have to accept 1000 fully laden diesel HGV vehicle movements a day. These are to carry spoil from the excavated tunnels during construction phase. There will cause unacceptable levels of emissions and cause traffic gridlocks. Causing further health effects on the population local to the construction zones not just for a short time but permanently during the construction phase of up to 20 years.

HS2 have always denied the direct connection between health problems and the construction zones at West Ruislip and have refused to conduct or fund independent studies to examine the matter. The Health Impact Assessment documents are not fit for purpose as they do not contain specific information regarding the increased risks due to HS2 construction. The extract below is all for Hillingdon.

The purpose of the Health Impact Assessment and this report 2013 and 2015

This has failed to identify and demonstrate the Health Effects near the construction zones.

1.1.1 This Health Impact Assessment (HIA) Report presents the assessment of the potential health effects resulting from the construction and operation of High Speed Two (HS2).

Appendix 4 - Health evidence base

4.1.2 The age profile of all local authorities with the exception of LB Hillingdon, which has a high proportion of people in the 60-74 age bracket, 11.3% compared to the London average of 4.2%.

4.3.1 Housing in the outer London suburbs such as Ickenham and Ruislip at the southern end of the area is relatively dense compared with the rest of the area.

The above is the only health information stated for Hillingdon in a 200 page document that is supposed to be a Health Impact Assessment. This clearly demonstrates their inability to understand the realities of a major construction in a highly populated area.

Hillingdon is already the London Borough with highest level of air pollution this is due to a combination of the conjunction of the M25, M4, M40 Motorways, the A40 Western Avenue RAF Northolt and very high number of existing flights from Heathrow The death rate as a result of air pollution has got worse as the Department of Health figures have shown. The West London borough of Hillingdon topped the
National league with biggest increase in deaths, up to 6.86 per cent. Households that have one or more people with a long term health problem or Disability, with and without dependent children – district Shows Hillingdon has the highest % in the country south group at 6% and 18%

I have been asking HS2 about this health matter for over the last two years to no success.

Extract from my February 2014 to HS2

I have noted the list of External Challenge Groups and there is one very significant omission. That is an Environmental Health Group comprising of Environmental Health Experts and the Medical Profession. As you state The External Challenge Groups were set up to ensure that HS2 Ltd is rigorously scrutinised at every stage. They comprise of panels of independent experts these groups challenge our technical and analytical abilities.

As there appears to be no Expert Group regarding Environmental Health how can you be rigorously scrutinised and challenged on your Medical and Health competence in this area?

Why has this been Environmental Health Group not been formed? This grouping is vital to protect public health in the residential areas during the initial construction phase. Especially in areas such as, Ickenham, Ruislip and Harefield, in the construction areas.

It must be noted that the International Agency for Research on Cancer (IARC) – part of the World Health Organisation – announced that it had reclassified diesel exhaust as a ‘definite carcinogen’ putting it in its highest category (Category 1). IARC’s expert panel assessed all the available scientific evidence and decided that exposure to diesel exhaust fumes can, and does, cause cancer in humans – specifically lung cancer (although there’s weak evidence they’re also linked to bladder cancer).

Although most Diesel Particulates are very small, more than 99% are in the sub-micrometre range. As the Particulate Matter emitted will be expected to contain particles below one micron size the residents must be made aware of the substantially increased carcinogenic health risks to young children, people with breathing difficulties and the elderly.

HS2 have not informed the resident in the areas of concentrated vehicle activity that they have much higher risk level than normal. Everybody that travels by road is at normal risk all the time. However this is totally different to some 1000 journeys a day in a relatively small area. HS2 must be honest and publish public health date in construction areas and the degree of heightened risk.

I feel sure a full medical investigation would force HS2 to agree to change the current proposed method of Construction as they would be responsible for present and long term damage to the public and possibly defending class action law suits by the public.
Equality Act 2010

HS2 state ‘Delivering HS2 embed equality, diversity and inclusion in all its activities taking necessary steps so that people with protected characteristics do not experience disproportionate disadvantage as a result of the planning, design, construction and operation of the HS2 programme’.

They have failed to comply to this act and with their own requirements. The boroughs going in the direction of Euston from Northolt are permitted the protection of a tunnel, while this is denied to Ruislip and Ickenham. A clear case of unequal treatment by HS2. The ruling by the HS2 subcommittee was quite wrong, their judgement criteria were base only on cost, when it should have assessed on all the evidence submitted. The effect of the construction phase will cause unlimited damage to the resident’s health and welfare, and must be reversed.

Why are the residents of the London Boroughs of Camden, Westminster, Kensington and Chelsea, Hammersmith & Fulham and Ealing, treated differently to the residents of the next Borough which is Hillingdon. The Equality Acts 2010 requires that the protected groups in all these boroughs must be treated equally. The protected groups as defined by the act are children, maternity and the elderly. The residents from Camden to Ealing are protected from HS2 operations by a protective tunnel. By refusing to extend the tunnel from West Ruislip in the Chilterns you are now deliberately discriminating against all these protected groups. Living in Ickenham, Ruislip and Harefield.

This is not permitted by HS2 Equality Statements, and is in breach of the Equality Act 2010 The 27,000 residents of Ruislip and Ickenham must now have the same equality as the residents of the other five London Boroughs. The West Ruislip tunnel must be extended into The Chilterns to allow and show equal treatment of these protected groups

Solution to Problems

HS2 statement
‘Core design principle of HS2’s Design Vision is ‘People: Design for everyone to benefit and enjoy’. This so far has not been apparent from HS2 there is no “benefit and enjoyment” for the residents. However it should be within their design and construction capabilities which they are unfortunately unwilling to use...

1 Extend the protective tunnel currently ending at West Ruislip in the middle of a high density housing area to a suitable place in the Chilterns (The residents and MPs have been fighting for this protection for at least two years. The cost of this would seem to have been manipulated to make it unattractive
Two years ago extension of the tunnel from Northolt to West Ruislip was costed at about £50 million which HS2 easily agreed. The extension of a protective tunnel of the same length through the same geology has been costed by the select committee to be £200 million and in there latest report they are quoting £600 million for the same size tunnel. These figures would be a manipulation of reality by HS2 motivated by an action it does not wish to take. The disparity in the figures is possibly political and not based on costs only. These figures will be submitted to the HS2 audit committee and Public accounts Committee for examination.

2. Move the centre of activities further North into a less populated area. West Ruislip was an insane position to choose as it in a densely populated area.

3. Stop the use of Diesel HGV major source of position or switch to Petrol driven Lorries. Which eliminate the toxic exhaust problems associated with Diesel. As no vehicles have been purchased at this time it should no present any problems

4. All movements of tunnel digging and delivery of equipment to be by rail only. Constructing a narrow gauge mini railway should be to supplement and give flexibility. In the Chilterns both of these alternatives could very easily be run above the or below the current existing roads. Deliver of materials to the site could easily arrange by rail in most cases. All it needs is vision and creativity something lack the HS2 managers, engineers and designers have so far significantly failed to use.

The prayer
The petitioner therefore asks the House of Lords that he, or someone representing him in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

17th April 2016

DAVID GEORGE
UPCOTT
To the House of Lords Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Catherine Sookha of Wells House Road, London

 Declares that:

1. The petitioner is specially and directly adversely affected by the whole High Speed Rail (London – West Midlands) Bill

2. Your petitioner is a Resident of Wells House Road, London. I wish to confirm my support for the Petition submitted by Amanda Jesson (nee Souter), Agent for the Wells House Road Residents Association. I, the Petitioner have lived in the Road for 50 years with my parents, who are both now in their late 70s. We are member of the Association that represents the interests of some 400+ Wells House Road residents and landlords directly affected by the HS2 Old Oak Common interchange construction and operation, and the works described in the HS2 Environmental Statement. Their rights, interests and property are injuriously affected by the Bill and the Additional Provisions.

Wells House Road is a triangular cul de sac of around 125 Edwardian homes of which 45 are occupied by people who have lived in the street for 25-70 years. At least ten homes are occupied by the children of the original residents and many are caring for elderly parents in these homes. It is a culturally diverse and integrated street. In short, this is a traditional family community that has a strong desire to retain its integrity as such. It should also be noted that many people chose to move to Wells House Road as it is an oasis of peace and quiet, close to West London areas such as Notting Hill, Shepherds Bush and Kensal Rise and with excellent transport connections in Zone 2. There are around 25 children under the age of 18 living in Wells House Road who can be seen and heard playing safely in the street.

Wells House Road also has exceptional views across London to the London Eye and the Shard.

It should be noted that your Petitioner believes that the negative impact of HS2 on communities along the length of the line, the economy, the environment and broader rail improvements far outweigh any tangible benefits. Indeed, as specified in the Environmental Statement, there will be significant job losses in the ‘deprived’
Old Oak Common Park Royal area while demolitions and construction are underway, causing many businesses to close.

3. Your petitioner’s concerns (as set out in the Petition of the Wells House Road Residents Association)

3.1. Wells House Road is in the centre of a major construction site for Old Oak Common Station, which will be the size of Waterloo Station. Much of this construction will be carried out 24/7.

3.2. To summarise the impacts, the tunnel will go under homes on the north of Wells House Road (WHR) with trains coming into the open as they reach the station about 120 feet from the homes. The east side of WHR will have the construction compound for the station behind gardens and their own gardens will be seized for at least a year while the road is lowered. The west side of WHR backs over the main construction compound with a 24/7 conveyor belt. The South side of WHR faces long-term blight from the HS2 AP2 impacts — a viaduct higher than their homes against their back gardens carrying the West Coast Mainline; the Crossrail Turnback with trains shunting back and forth against their garden borders; a massive electrical substation also against garden borders; the loss of woodland views; and the threat of another waste-carrying conveyor belt during construction at the base of their gardens. WHR residents will be isolated by the closure of Old Oak Common Lane that will cut residents off from all major amenities. All properties will be hemmed in by the subsequent OPDC development, which will include buildings up to 42 stories above the station that will block views and light from homes.

3.3. These are exceptional circumstances that demand that WHR is treated as a sensitive receptor and a special case and that compensation and mitigation measures are tailored to our needs.

3.4. Objections are being presented around numerous issues arising from the scheduled works and proposed Bill and amendments to the Bill (AP2) in the Old Oak Common area in the London Boroughs of Ealing and Hammersmith and Fulham, the lack of mitigation of effects and the lack of compensation for communities impacted by the construction and operation of HS2.

3.5. Your petitioner objects to AP2 as it both ignores the previous 4-5 years of consultation submissions by Wells House Road Residents Association, offering no solutions for the negative impacts and, in fact, worsens the already extreme and long-term impact on residents’ homes, lives and the community.

3.6. It should be noted that HS2 Ltd has only provided written assurances to the Borough of Ealing and is yet to offer any assurances to Wells House Road Residents Association and individual residents. After objections to the lack of response and poor engagement by HS2, broadly shared by communities along the line, we wish for there to be a conclusion with firm answers to our questions and for our needs to be met.

3.7. We are concerned that this has led to considerable stress and extreme wastage of time and residents’ personal funds.
4. **Summary of required action via House of Lords Hearing**

4.1. Wells House Road requires recognition as a sensitive receptor and to be treated as a 'special case'.

4.2. **Compensation:** Currently Wells House Road and other urban areas have no compensation beyond the inadequate 'Need to Sell Scheme'. Property values are currently so low due to HS2 that owners would not be able to afford to move to other equivalent properties. One property received a £0 valuation due to HS2, rendering this scheme even more useless. We are seeking compensation schemes that will assist people who wish to stay throughout construction and operation and those who wish to move. In addition, schemes need to be developed to include landlords and people renting spare rooms, shared ownership properties, people who purchased after 2010, and small businesses being operated from home/road based businesses. We also need the option of temporary or permanent rehousing if the disruption and pollution proves too much. People losing gardens or views, will also require compensation and/or reparation.

*I, the petitioner and my parents have lived in our property for over 50 years and it is our sole dwelling place and sole substantial financial asset. We are seeking compensation for the disruption caused throughout construction and operation together with compensation and/or reparation for loss of property value should be wish to sell if the disruption and pollution proves too much.*

4.3. **Old Oak Lane Closure:** Although some assurances have been discussed between Ealing and HS2 Ltd, nothing has been confirmed to residents. We are seeking mobility & delivery services, 228 bus turning point, confirmation that the road will be kept open for pedestrians.

*The closure of Old Oak Lane will greatly impair my ability to travel to and from my place of work (I rely on public transport) and affect my 78 year old parents ability to use local services, such as medical services, unless special mobility and delivery services are provided.*

4.4. **WHR sustaining wall:** requires reinforcement before work begins. This is made of clinker and is unlikely to withstand the vibrations from HGVs and construction. In addition, the foliage on this wall adds both character and insulation. HS2 wish to replace this with a concrete structure. We wish to be consulted over the design of the wall and would ask for consideration to be given to a plant wall. Currently ownership of the wall is disputed and we ask that OPDC takes ownership of the wall from day one of construction.

4.5. **Temporary loss of gardens:** HS2 has failed to provide a consistent story as to the gardens that have been CPOed for the lowering of Old Oak Common Lane. Gardens need to be photographed before the work begins and all structures and foliage taken or damaged needs to be replaced. Storage may be required for structures. Residents temporarily losing gardens should be compensated for loss of land and, as required, rehoused for that time.
4.6. Baseline report on all properties: we request that properties are photographed and surveyed before construction commences in order to monitor and correct any structural damage.

4.7. Works entrance on Old Oak Common Lane: We are asking that a new location is found for this that is away from WHR properties. It is currently located directly behind properties on the east side of WHR.

4.8. Crossrail turnback, West Coast Mainline Viaduct and electrical substation (AP2): all these structures pose long-term impacts on the quality of life of residents on the southern end. We ask that alternative options are explored for the positioning, height and impact of these structures. In addition, we ask that the woodland and view of this woodland is preserved.

4.9. Conveyors to south of WHR: we are asking that the option to take waste below Old Oak Common Lane in the tunnel built for the new overground station is used. We strongly object to conveyors close to homes on the south side of WHR. If these are to be used, we would require that they are silent and are covered.

4.10. Old Oak Common Station: we ask that the platforms are moved east so that the impact of noise and disruption from the operation and the high-density overbuild of the station is moved away from WHR and other existing communities. This would also be a benefit to The Scrubs who believe an access point further east would not be so damaging to the environment. We also ask that HS2 Ltd’s pledge for green space between WHR and the Old Oak Common HS2 Station be retained.

4.11. Supplementing the Code of Construction Practice: HS2 continues to dismiss noise, air, light and vibration pollution, including the vibrations from the tunneling, as impacts that will be covered by the Code of Construction Practice. We challenge their current level predictions and also require clarifications and assurances that the construction will not impact on residents’ quality of life. We have been verbally offered some sound proofing but believe this should be offered to all WHR properties on all sides of homes. We also need clarification as to what type of sound proofing would be offered and what measures will be taken for ventilation. Again, if it is not possible to retain a quality of life and health, including to be able to safely open windows, we would require options for temporary rehousing. It addition, we want controls of working hours to limit work that creates noise to weekday working hours, where possible.

I, the Petitioner and my parents reside in the “inner circle” within Wells House Road and I understand that discussion regarding sounding proofing and ventilation have been targeted towards the properties within the “outer circle” of the road. However, noise, air, light and vibration pollution travels and this will impact upon myself and the other residents within the “inner circle” despite our properties not facing the actual construction site. We too, have a need for sounding proofing our homes. I, the Petitioner already presently suffer noise and vibration pollution from the existing railway line running the perimeter of the Road. I would ask for sound and vibration proofing for my home.
Please take note that there are many others residing within the "inner circle" of Wells House Road, some vulnerable people, who are in the same situation and are not capable of expressing their views in this process.

4.12. Area cleaning: currently Ealing does not enforce strict controls over developer cleanups. We require HS2 to keep roads and pavements clean, to be responsible to cleaning brickwork of private housing, and to control vermin that will come from demolitions.

4.13. Accountability: HS2 Limited has a shocking record of engagement with the community. Their relationship has soured with communities all along the line and bred activism. We therefore require measures for engagement throughout the process, e.g. independent mediation, subsidies for legal and professional advice, oversight by OPDC to limit direct contact with HS2 personnel, single body that regulates and secures accountability in real time. Note: HS2 pledged regular meetings following the Select Committee hearing in January. They have only arranged two meetings across the three past months and no assurances have been given. In addition, beyond one phone call from their new ‘Senior Engagement Manager’, no attempt has been made to meet with residents of Old Oak Common. This exemplifies HS2’s lack of commitment to any meaningful engagement with the community or resolution of their issues. We do not wish for Ealing Council to act as mediators as their resources are limited. To keep the doors open for on-going dialogue: since the plans are continually changing, we need flexibility and a means by which HS2 is forced to continue to provide written assurances and responses for new developments as and when they occur.

4.14. Order of hearings: Your petitioner requests that London presentations to the House of Lords are heard early in the proceedings. The HS2 Select Committee left The Wells House Road Presentation to the last and by which time we felt there was a loss of interest.

The prayer

The petitioner therefore asks the House of Lords that they or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remain, etc.

Catherine Sookha, Resident of 18 Wells House Road, London NW10 6EE

Date: 15th April, 2016
To the House of Lords  
Session 2015–16

PETITION against the  

High Speed Rail (London – West Midlands) Bill

THE PETITION OF THE CAMDEN TOWN DISTRICT MANAGEMENT COMMITTEE

Declares that:

1. *The petitioner is specially and directly adversely affected by the whole Bill.*

2. *Your Petitioner*

The petitioner is the Camden Town District Management Committee (DMC). We are an umbrella organisation whose membership comprises elected representatives from registered Tenant and Resident Associations in the Camden Town district. Our remit is to work with the local council, our landlord, to improve services, input into policy and improve quality of life for those living in LB Camden housing portfolio.

Camden Town DMC catchment are comprises the two wards most adversely impacted by the construction of High Speed 2, Regents Park to the west of Euston and St Pancras and Somers Town to the east.

St Pancras and Somers Town ward and Regents Park ward are also among the most deprived wards suffering from high indices of deprivations including lower life expectancy and poor health. The area is home to ethnically vibrant and stable communities

The DMC petitions your Lordship’s House on behalf of our TRA membership who share many of the same concerns as our neighbours in local communities.

Due to geographical location and proximity to Euston station and railway approach, the area faces huge disruption and our communities will be seriously adversely impacted for the duration of works currently expected to span 18 years.

Residents living on our area will be adversely affected by deteriorating air quality, pollution, dust, vibration and many other adverse impacts arising from the construction of HS2. The entire area will suffer negative impacts with those closest to Euston and the railway being most seriously impacted. Several of the estates we represent lie just metres from the railway line and will be subject from relentless construction impacts.

3. *Your petitioner’s concerns include:*

GENERAL

*Promoter Assurances:*
On 30th November 2015, LB Camden agreed a significant number of Assurances with the Promoter. It is widely felt these assurances fall well short of what is necessary to protect residents from the cumulative impacts of the years of unprecedented negative impacts. Your
petitioner seeks more comfort and security and we look to your Lordships House to adjudicate where possible a more just solution on our behalf. We look to your Lordship's House to seek to redress in so far as is possible the blatant inequity shown to local communities compared with other stakeholders and vested interests.

The promoter is currently undertaking a number of studies covering a number of significant areas of the construction programme none of which is yet available. We wish to reserve the right to alter our response having had sight of these and studied the implications that flow from them.

Euston Station and Approach:
Current proposals for Euston Station are incomplete and completely lacking a coherent overall strategy. This piecemeal approach is inefficient of both time and resources and even more damaging to local communities and of longer duration than plans that preceded it. The multiple deficiencies clearly lead to a sub-optimal outcome. The final plan for Euston must provide for a comprehensive integrated station designed to cater for high speed and classic rail and Crossrail 2.

A number of alternative option exist which would considerably mitigate the destruction and disruption of unprecedented duration faced by local communities. It is widely believed that these have not been thoroughly explored.

In the light of insufficient investigation into alternatives we urge your Lordships to support our plea that independent comparative analysis is commissioned to establish the least destructive and most suitable option for Euston. Several of the alternatives are designed to be constructed within the station width footprint thus greatly reduce the social, environmental and, we believe, the financial impacts.

Such analysis should provide detailed technical, economic, social and environmental analysis of current proposals compared with known alternatives.

Old Oak Common:
We urge a full independent investigation of Old Oak Common as a temporary terminus is commissioned to ease construction and limit disruption at Euston for all stakeholders.

Dispute Arbitration:
Your petitioners support the appointment of an Independent Assessor funded by, but totally independent, of HS2 Ltd. Access to dispute arbitration with the power of enforcement to adjudicate fairly is vital. Recruitment of such a post should be undertaken prior to the beginning of any work and continue throughout the project.

Air Quality:
We echo the concerns articulated by the HoC HS2 Select Committee in their February Report

"We want monitoring of air quality to feed into an assessment of whether re-housing should occur in cases where air quality deteriorates. This should keep in mind an aspiration of improving the baseline air quality in Camden. The current position is clearly unsatisfactory'. (p60, para 232)

The incidence of respiratory disease in the two wards we represent is already higher than the borough average.

We agree that strict monitoring of air quality is vital for the health of local communities. Baseline studies need to commence without further delay.
In the interests of protecting local people from exposure to the multiple health risks associated with air pollution the issue of enforcing limit to pollution is of paramount importance. Significant or persistent breeches should lead to cessation of work. Without incentives to keep within agreed levels we do not believe there is any incentive to comply. No reduction in air quality should be tolerated.

Spoil and construction materials:
The promoter has continuously argued that the option to remove excavated material and other necessary components required for construction is not reasonably practical. However, following universal pressure from all stakeholders a study is now underway into the practicalities of rail rather than road use for this purpose.

Your petitioner believes that a significant proportion of the volumes of spoil and materials will be shown viable by rail. We seek rail as a default means of transporting spoil, plant, machinery and construction materials. Such a policy with consequent significant reduction in daily HGV movements would thereby significantly reducing traffic congestion and the risks to health and safety.

We understand results of a study commissioned by HS2 Ltd to assess the viability of transporting spoil and materials by rail is due to be published shortly and may be publicly available before your petitioner is called to give evidence. We reserve the right to alter our evidence in the light of new information that may contain.

Traffic Congestion:
Over and above the concerns raised above regarding transportation of spoil and materials by rail, road and lane closures, bridge demolitions, traffic diversions and in particular the major works associated with the demolition and replacement of Hampstead Road Bridge over a six-year period, will increase congestion giving rise to deterioration of air quality and increased risk of road traffic accidents. As indicated above, there must be no deterioration in air quality because of the devastating consequences to the health of local communities.

HGV Routes:
HGV haul routes should be significantly reduced and kept to a minimum and limited to main roads unless demonstrably impossible.

Because of the serious associated health risks all HS2-generated traffic must meet the most up-to-date standards for low emissions.

Traffic Management Plans:
We believe that a joint TfL, HS2 Ltd and LBC Traffic Management Plan will be published in due course and we urge this is expedited. There remains a high degree of concern in local communities that the area could well suffer terminal gridlock.

To reassure local people and test the worst case scenario, we would recommend a simulation to mimic the actual situation that will pertain during construction when roads and bridges are put under most stress to demonstrate viability of the plan with emergency service input.

Compensation
Your Petitioners concur with the contents of the LB Camden Petition with regard to compensation and agree that the current situation is totally unsatisfactory. We draw attention to the statement made in their final report by members of the HoC HS2 Select Committee that:
'Camden is exceptional and needs special treatment. Many residents are going to have to put up with disturbance on a scale beyond the experience in most other locations.' (para 237)

We would urge therefore that at least the equivalent compensation proposals are available to residents in Camden as are available to residents in rural areas and concur with LB Camden that compensations should not only be limited to property owners but also all those whose quality of life will be severely reduced as a result of the works.

Construction Impacts:
Specified limits should be agreed in advance of work commencing and must be imposed to reduce disruption and nuisance from a range of impacts including noise, air pollution, vibration, dust and particulates, hours of work, etc. All breaches should be dealt with swiftly and appropriate remedial action taken. Serious disruption over an extended period should attract monetary compensation.

Cumulative impacts:
Most residents in the Euston area will be subject to multiple adverse impacts from the construction of HS2. These multiple impacts must be fully taken into account so that compensation and mitigation is commensurate with cumulative impacts.

Loss of Open Space:
The vast majority of open space in the Euston area has been acquired by HS2 Ltd and is a significant loss of community amenity. Assurances provided by the Promoter to LB Camden do not go far enough in mitigating loss. There should be no overall loss of open space. We do not consider replacement proposals to be adequate in terms of accessibility, quality or quantity.

Loss of trees:
The area around Euston faces the loss of over a hundred trees including many of which are mature and provide a range of benefits to urban dwellers. Assurances by the Promoter to LB Camden do not go far enough in mitigating loss. Current replacement plans are wholly inadequate in terms of replacement numbers, size and maturity.

Emergency Access and Security:
Our communities require guarantees that no aspect of HS2 construction will compromise emergency access. This is particularly relevant with multiple restrictions to road use: road closures, diversions, bridge demolitions and increased congestion and chaos. In our experience it takes a relatively minor incident to cause huge tailbacks. In addition existing security systems must not be compromised.

It is true that verbal assurances have been provided by the HS2 QC that HS2 Ltd must comply with the law and ensure emergency access. However, the cumulative impacts over the area have not yet been modelled. We hope this can be expedited as construction of compounds, utility and other works are classed as enabling works and are likely to commence in the near future.

Construction Compounds:
There are plans for a large number of construction compounds in the Euston area. Many of these are close to or within residential areas. Some will cause severance issues. Disruption arising from these sites needs to be minimised and stringent efforts must be made to limit light, noise and other pollutants in the interests of the health and well-being of residents. Access to adequate resolution of associated problems is required.
Given the disruption that will ensue from these compounds every effort should be made to limit their size to agreed minimum operational requirements.

Noise:
With AP3 proposals more homes were assessed by HS2 Ltd to require noise mitigation. This represents more rather than less disruption which was the official reason given for extending the build period for HS2 by seven years. These homes become likely to be eligible for noise insulation measures including additional glazing and air conditioning. None of this alleviates the responsibility of the Promoter to ensure measures are taking to reducing noise at source. Residents cannot be expected to live in sealed housing units for years without being able to open windows to allow fresh air to circulate.

In addition to external monitoring, internal noise levels within homes should not exceed safe levels. Should these be exceeded those impacted will need rehousing as excessive noise can cause permanent hearing loss.

Hampstead Road Bridge:
Widespread criticism of the Hampstead Road Bridge plans unveiled in mid autumn of 2015 has led to pressure from TfL and LB Camden to modify the design to reduce the inherent significant adverse impacts. To date we have not had sight of revised plans so are unable to comment on whether these meet with approval.

Current plans cause totally unacceptable disruption and potential traffic dangers arising from the suspended service road leading from the bridge to the station service area. In addition the gradient is unacceptable for cyclists and the height of the roadway requires elevation of approaches over a significant distance including several junctions. There are significant severance implications affecting the daily life of residents.

It is hoped that the replacement design will reduce the very significant negative impacts outlined above which impact on communities on either side of Hampstead Road and wider afield. Dependent on how the new designs address your petitioner's concerns, we would like to reserve our position to further petition your Lordship's house.

Habitability:
Following reticence from the Promoter to agree criteria for habitability, such criteria should be put in place to reassure those whose homes are in close proximity to a series of significant adverse impacts that there will be a 'rescue package' should conditions become unbearable.

Once agreed, if such agreed habitability criteria are exceeded, this would trigger the offer of immediate alternative accommodation of equal quality in the area (if wished) at the expense of the Promoter.

Rights of Way:
Several rights of way exist that should be maintained including those across Ampthill Square estate. At the HoC Select Committee, gave a verbal undertaking that these would remain in situ but no assurance has been provided.

Utility Diversions:
The need to divert many kilometres of utility services results largely from the extension of the Euston Station footprint and the tripling of the span of Hampstead Road Bridge. Your petitioner seeks an undertaking the Promoter will ensure that all services in a particular location be diverted at the same time so that trenching and associated disruption to traffic is not repeated.
Your petitioner believes it should be possible to design an alternative route for relocation of utilities away from Ampthill Square Estate which diverts services away from highways through a residential area. To test this hypothesis an independent study should be commissioned immediately. Should this demonstrate no plausible alternative exists, then HS2 Ltd must ensure security on the Estate is not compromised.

Any accidental damage to services (utility or security) will be remedied immediately and timely financial penalties made payable to all residents who endure loss of any service.

**Loss of Open Space:**
HS2 Ltd have safeguarded most of the open space, gardens and parks causing a massive loss of amenity which provides a range of benefits to city dwellers and most will be lost on a permanent basis. Eighteen years after which some open space will be reinstated is, in any event permanent for a generation of children and many older residents.

Assurances provided to LB Camden fall far short of what residents consider to be adequate replacement plans in terms of quality and quantity.

**Loss of Trees:**
Residents are outraged by the scandalous wholesale planned destruction of mature trees that is planned by the promoter. Apart from robbing the community of a large range of beneficial effects large scale tree loss will have an immediate deleterious impact on air quality. As noted by the House of Commons Select Committee air quality is not satisfactory and the aim should be an overall improvement so that we consider the loss of large numbers of our trees will requires immediate remedial action to rectify these negative consequences on air quality and associated health risks.

The assurances provided to LB Camden in relation to the loss of trees falls far short of what is required in terms of quality and quantity.

**Loss of Amenities:**
The Euston area will lose a great many of its community facilities including a community hall, a number of playgrounds and MUGA pitches on a long term temporary or permanent basis.

These amenities are crucial to the health well-being of residents and in particular children and youth and all require replacement with alternative provision.

**Loss of Resident Parking Bays:**
Plans by the Promoter involve a significant loss of allocated resident parking bay both on street parking and allocated bays within estates. This loss will add further to the disruption to their lives for up to eighteen years although we note the HoC Select Committee asked that the Promoter consider ongoing review of parking and ability to reinstate parking bays, albeit perhaps on a temporary basis, when and where possible. The Promoter must assume responsibility to identify suitable accessible replacement parking bays in close proximity to Ampthill Estate.

**Engagement:**
To date, engagement with HS2 has been totally unsatisfactory. To date engagement has been little more that elaborated provision of information. Information requests, particularly those of a technical nature are not dealt with in a timely manner if at all. Much frustration arises from the narrow and inadequate definition of the term ‘engagement’.

The Community Engagement Framework currently being negotiated (with no community input!) must clearly define what can be expected of the Promoter. It will be of interest to see
whether reasonable changes to the framework may be agreed in response to community input.

**Pest Control:**
Adequate pest control measures must be put in place and strictly monitored, not only to deter pests through good housekeeping around satellite compounds, but to deal with displaced colonies of rats disturbed during excavation and construction.

**Japanese Knotweed:**
We understand a comprehensive plan exists to eradicate and prevent the spread of Japanese knotweed known to be prevalent and arising from the cutting wall (already spreading to adjacent land). Action needs to be taken before land is disturbed. We would also like sight of the aforementioned plan to deal with this invasive species.

**Code of Construction Practice:**
Your petitioner has concerns that the use of modifiers, such as ‘where reasonably practical’, will exonerate the Promoter from addressing problems which residents consider need adequate mitigation/speedy action. We request that these terms are clearly defined and a final arbitrator of “reasonableness” identified.

There is widespread concern that by the time the CoCP is in place there will be no recourse to independent arbitration. We urge Your Lordships’ House to support the provision of an independent Arbitrator as outlined above to provide reassurance that lapses in the CoCP can be escalated if necessary. Without clearly defined penalties for failure to comply with the CoCP residents believe there will be no incentive to meet agreed terms and regulations which could therefore be breeched at will.

**Working Hours:**
In the interests and for the impacts on local people, blanket permissions for night working should not be granted. Given the health impacts on local communities, the Approved Undertaker should be required to make specific application to LB Camden as the Planning Authority on a case by case basis for night working.

4. **The prayer**

The petitioner therefore asks the House of Lords that it or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Name: [Signature]
To the House of Lords  
Session 2015–16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF THE AMPTHILL SQUARE TENANTS AND RESIDENTS ASSOCIATION  

Declares that:  

1. The petitioner is specially and directly adversely affected by the whole Bill.  

2. Your Petitioner  

The petitioner is the Ampthill Square Tenants and Residents Association which represents the 366 households resident on the Ampthill Square Estate. Fran Heron, Chair of the Association will petition on behalf of the residents.  

Due to its geographical location and proximity to the station and Euston Approach, our Estate will be surrounded by construction works for 18 years.  

Residents living on the Estate will be adversely affected by noise, air pollution, dust, vibration and many other adverse impacts arising from the construction of HS2. The entire Estate is within 175m from major construction works with several housing blocks as close as 15m.  

The following outlines a range of significant negative impacts facing residents both in the wider area and those faced by Ampthill residents specifically.  

3. Your petitioner's concerns are  

GENERAL  

Promoter Assurances:  

LB Camden has agreed to a significant number of Assurances with the Promoter. Insofar as these have been revealed to us we feel, as do most petitioners, that these assurances fall far short of what is required to adequately tackle a range of major issues. Flowing from these Assurances the Promoter undertook to carry out a number of studies. None of these is available to Petitioners at this time so that it is possible that our 'asks' may need review once the contents and implications of the studies have been assimilated.  

Euston Station and Approach:  

Current AP3 proposals are completely inadequate providing a sub-optimum piecemeal approach inefficient in both time and resources which fail to provide an integrated solution. The final plan for Euston must be a comprehensive station design catering for high speed and classic rail and Crossrail 2 in an integrated whole.  

A number of alternative options exist which would considerably mitigate the destruction and disruption of unprecedented duration faced by local communities. It is widely believed that these have not been thoroughly explored.
In the light of insufficient investigation into alternatives we urge your Lordships to support our plea that independent comparative analysis is commissioned to establish the least destructive and most suitable option for Euston. Several of the alternatives are designed to be constructed within the station width footprint thus greatly reduce the social, environmental and, we believe, the financial impacts.

Such analysis should provide detailed technical, economic and social analysis of current proposals compared with known alternatives.

**Old Oak Common:**
To ease construction and limit disruption at Euston for all stakeholders, we urge a full independent investigation of Old Oak Common as a temporary terminus.

**Dispute Arbitration:**
Your petitioners support the appointment of an Independent Assessor funded by, but totally independent, of HS2 Ltd. Access to dispute arbitration with the power of enforcement to adjudicate fairly is vital. Recruitment of such a post should be undertaken prior to the beginning of any work and continue throughout the project.

**Air Quality:**
We echo the concerns articulated by the HoC HS2 Select Committee in their February Report

> ‘We want monitoring of air quality to feed into an assessment of whether re-housing should occur in cases where air quality deteriorates. This should keep in mind an aspiration of improving the baseline air quality in Camden. The current position is clearly unsatisfactory’. (p60, para 232)

We agree that strict monitoring of air quality is vital for the health of local communities and that action is taken immediately if levels become raised since air pollution carries with it very serious risks of developing respiratory disease and shortened life expectancy. Work should cease when agreed levels of pollutants are exceeded. No reduction in air quality should be tolerated.

**Spoil and construction materials:**
Spoil removal, plant, machinery and construction material should be transported by rail to reduce traffic congestion that further deteriorates air quality. This in turn increases risks of respiratory disease.

We understand results of a study commissioned by HS2 Ltd to assess the viability of transporting spoil and materials by rail are imminent and may be publicly available before the petitioner is called to give evidence. These conclusions may alter what is requested.

**Traffic Congestion:**
Road and lane closures, bridge demolition, traffic diversions and in particular the major works associated with the demolition and replacement of Hampstead Road Bridge over a six-year period, will increase congestion giving rise to deterioration of air quality and increased risk of road traffic accidents.

**HGV Routes:**
HGV haul routes should be significantly reduced and kept to a minimum and limited to main roads unless demonstrably impossible
Because of the serious associated health risks all HS2-generated traffic must meet the most up-to-date standards for low emissions.

**Traffic Management Plans:**
We believe that a joint TfL, HS2 Ltd and LBC Traffic Management Plan will be published in the fullness of time. However, there remains a high degree of concern that the area could well suffer terminal gridlock.

To reassure local people and test the worst case scenario, we would recommend a simulation to mimic the situation when roads and bridges are put under most stress to demonstrate viability of the plan with emergency service input.

**Compensation**
Your Petitioners concur with the contents of the LB Camden Petition with regard to compensation and agree that the current situation is totally unsatisfactory. We draw attention to the statement made in their final report by members of the HoC HS2 Select Committee that:

> ‘Camden is exceptional and needs special treatment. Many residents are going to have to put up with disturbance on a scale beyond the experience in most other locations.’ (para 237)

We would urge therefore that at least the equivalent compensation proposals are available to residents in Camden as are available to residents in rural areas and concur with LB Camden that compensations should not only be limited to property owners but also all those who will be badly affected by the works.

**Construction Impacts:**
Specified limits should be agreed in advance of work commencing and must be imposed to reduce disruption and nuisance from a range of impacts including noise, air pollution, vibration, dust and particulates, hours of work, etc. All breeches should be dealt with swiftly and appropriate remedial action taken. Serious disruption over an extended period should attract monetary compensation.

HGV and construction vehicles on all roads surrounding the estate will result in traffic congestion which in turn causes increased pollution and safety issues. All efforts must be made to minimize these risks.

**Loss of Open Space:**
Assurances provided by the Promoter to LB Camden do not go far enough in mitigating loss. There should be no overall loss of open space. We do not consider replacement proposals to be adequate in terms of accessibility, quality or quantity.

**Loss of trees:**
Assurances provided by the Promoter to LB Camden do not go far enough in mitigating loss. Current replacement plans are wholly inadequate in terms of replacement numbers, size and maturity.

**Cumulative impacts:**
Most residents in the Euston area will be subject to multiple adverse impacts from the construction of the scheme. These must be fully taken into account so that compensation is commensurate with cumulative impacts.
SITE-SPECIFIC

Security:
The existing security system on the Estate must not be compromised and must remain in operation at all times throughout the construction period for the protection of residents.

Emergency Access:
Due to the size and location of the construction compound and the utility trenching, emergency access and evacuation could be compromised. All Emergency Services must be satisfied that their requirements with regard to Health and Safety legislation are identified and agreed well in advance of construction commencement.

Despite receiving verbal assurance by the HS2 QC at the HoC Select Committee that emergency access will not be compromised at any time, we would like to have sight of plans that will ensure this and be able to discuss our concerns with emergency service providers to provide reassurance. This needs to be expedited as both the construction of compounds and utility diversions are classed as enabling works.

Vehicular Access to Estate:
In addition to emergency requirements, access to all areas of the Estate for service and delivery vehicles must be maintained.

Construction Compounds:
The construction compound planned within the Estate – A400 Hampstead Road Overbridge (South) – will occupy a significant proportion of the Estate for eighteen years and interfere with access in, out and across Ampthill. The satellite compound planned on Barnby Street, - Royal Mail NW1 delivery office site – on the southern boundary of the Estate has been greatly increased from previous plans.

Given the disruption that will ensue from siting these compounds within and in such close proximity to Ampthill Square Estate, every effort should be made to limit their size to agreed minimum operational requirements. Furthermore stringent efforts must be made to limit light, noise and other pollutants in the interests of the health and well-being of residents.

The Promoter must ensure a safe environment and secured haul route into the Estate.

Noise:
310 of 366 households on Ampthill Square have been identified by HS2 Ltd. as being so significantly adversely impacted by noise levels that they are eligible for noise insulation measures including additional glazing and air conditioning. None of this alleviates the responsibility of the Promoter to ensure measures are taking to reducing noise at source. Residents cannot be expected to live in sealed housing units for years without being able to open windows to allow fresh air to circulate.

In addition to external monitoring, internal noise levels within homes should not exceed safe levels. Should these be exceeded those impacted will need rehousing as excessive noise can cause permanent hearing loss.

Hampstead Road Bridge:
In response to widespread criticism of the design of Hampstead Road Bridge developed over the past year to cater for the AP3 brief, HS2 Ltd have been asked to modify the design and in particular to reduce the height of the roadway and significant severance issues. We understand that these designs should be publically available shortly.
It is hoped that the replacement design will reduce the very significant negative impacts outlined above which impact not only on Ampthill Square residents and public using the Rights of Way across the Estate but also communities on either side of Hampstead Road and wider afield. Dependent on how the new designs address concerns, we would like to reserve our position to further petition your Lordship’s house.

Habitability:
Given the proximity to Hampstead Road Bridge, associated ground anchors and barrette wall construction as well as demolition and construction works in Euston Approach as well as associated reduction in air quality it is vital that a suitable definition of habitability is reached urgently.

If agreed habitability criteria are exceeded, this would trigger the offer of immediate alternative accommodation of equal quality in the area (if wished) at the expense of the Promoter.

Rights of Way:
The current rights of way across the Estate must be maintained. The HS2 QC at the HoC Select Committee made a verbal statement that these would remain in situ but we have not been given any assurance to this effect.

Utility Diversions:
Your petitioner believes it should be possible to design an alternative route for relocation of utilities away from the Estate. To test this hypothesis an independent study should be commissioned immediately.

Should this demonstrate no plausible alternative exists, then HS2 Ltd must ensure security on the Estate is not be compromised. Any accidental damage to services (utility or security) will be remedied immediately and timely financial penalties made payable to all residents who endure loss of any service.

Loss of Amenities:
It is unclear what the extent and duration of lost amenities will be. We believe that we will lose a purpose-built and fenced multi-use sports area, with possible loss of access to both the children’s playground and our community hall, on either a temporary or permanent basis. All such losses will need to be compensated by alternative provision.

Loss of Open Space:
Related to loss of open space is the unnecessary safeguarding of the entire open space on Ampthill as well as the land in the secured tower block segment. This wholesale acquisition or our open space is not necessary for the purposes stated and we want it modified and reduced to only what is absolutely required.

Damage to landscaping and environment:
Any environmental damage must be made good in a timely fashion and shrubbery of equal quality provided as replacement in agreement with local community. There should be no loss of trees. In particular, every protection should be afforded to the trees within the tower block secured area.

Loss of Resident Parking Bays:
Plans by the Promoter involve a significant loss of allocated resident parking bay facilities.
This loss will further erode resident amenity for up to eighteen years. The Promoter must assume responsibility to identify suitable accessible replacement parking bays in close proximity to Ampthill Estate.

**Engagement:**
To date, engagement with HS2 has been unsatisfactory. Before the commencement of any works an engagement plan must be put into place that guarantees the involvement of residents on the Estate both prior to and throughout the duration of the project.

**Pest Control:**
Adequate pest control measures must be put in place and strictly monitored, not only to deter pests through good housekeeping around satellite compounds, but to deal with displaced colonies of rats disturbed during excavation and construction.

**Japanese Knotweed:**
An effective plan to ensure the eradication, prevention and spread of Japanese knotweed known to be prevalent and arising from the cutting wall (already spread into the estate) is urgently required.

**Code of Construction Practice:**
Your petitioner has concerns that the use of modifiers, such as 'where reasonably practical', will exonerate the Promoter from addressing problems which residents consider need adequate mitigation/speedy action. We request that these terms are clearly defined and a final arbiter of “reasonableness” identified. Without clearly defined penalties for failure to comply with the CoCP we believe there will be no incentive to meet agreed terms and regulations which could therefore be breeched at will.

**Working Hours:**
Blanket permissions for night working should not be granted. Given the health impacts on local communities, the Approved Undertaker must make specific application on a case by case basis for night working to LBC as the planning authority.

**Traffic Management:**
The community must at all times be protected from HGV and other construction vehicles, plant and machinery entering and leaving the Estate.

4. **The prayer**

The petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Name:.................F.M. HOBN................

Signature
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF BARRY PRICE AND DEANNA SANDRA PRICE

Declares that:

1. Your petitioners are specially and directly adversely affected by clause 1 of the High Speed Rail (London - West Midlands) Bill ("the Bill") that proposes that a nominated undertaker appointed in accordance with clause 44 of the Bill should be authorised to construct and maintain the scheduled works specified in schedule 1 of the Bill. Clause 2 of the Bill contains additional provisions with regard to the works identified in schedule 1 of the Bill and clauses 3 to 18 of the Bill deal with the acquisition of land, supplementary rights and matters relating to highways, extinction of rights, temporary possession of land and use of roads etc.

2. The Bill authorises the construction and operation of a railway system and its associated development through Great Missenden. Your petitioners are specifically and directly adversely affected by works identified in schedule 1 of the Bill relating to a railway (8.3 kilometres in length) partly in tunnel and partly on viaduct (Work No. 2/14), an accommodation access road, commencing on the access road to Havenfield Lodge, at a point 618 metres south-west of the junction of that road with Potter Row and terminating on that road at a point 137 metres south-west of that junction (Work No. 2/19) and a diversion of Leather Lane commencing on that road at a point 720 metres west of the junction of that road with King's Lane and Potter Row and terminating on that road at a point 116 metres west of that junction (Work No. 2/20).

Your petitioners

3. Your petitioners are the freehold owners of Cherry Orchard, Potter Row, Great Missenden, HP16 9LT ("the Property"). The Property is registered at the Land Registry with title number: BM274989. Your petitioners purchased the Property in 1979 for use as their family home. Since then, they have invested heavily in the Property with a view to enhancing the value of it in anticipation of their retirement. Their children have long since moved out of the Property, so it is no longer adequate for their needs and presents an unnecessary burden for your petitioners, particularly at their age and stage in their lives.
Your petitioners' concerns

4. Your petitioners are concerned that the scheduled works identified above and the operation of the railway on completion of the scheduled works will adversely affect the Property and their interests in the Property and that clause 4 of the Bill does not provide for your petitioners' interests in the Property to be acquired by the Secretary of State nor for your petitioners to be compensated for the damage to their interests in the Property.

5. The Property is located in the Chilterns area of outstanding natural beauty. The tranquillity and attractiveness of the surrounding area is of significant importance for the Property and is a significant pull for potential buyers and visitors to the area.

6. The scheduled works will decimate the Property not least because the southern boundary of the Property is located only 100 metres from land that is potentially required during the construction phase, 125 metres from a temporary material stockpile and 400 metres from the Chiltern Tunnel North Portal Satellite Compound (Civil Engineering). When the railway is operational, the line will be in an open cutting which runs parallel to the Property at a distance of 275 metres to the south of it.

7. Given the status of the Chilterns as an area of outstanding natural beauty, construction activity is extremely rare because of the planning and heritage restrictions. Accordingly, as set out in the Environmental Statement, the construction works anticipated by the scheduled works will have a damaging impact on the Property and the local area in terms of dust, noise, hours of work, vibration, traffic movements, congestion and access problems and will therefore damage your petitioners' interest in the Property. Both the scheduled works and the impact of the line when it becomes operational, will bring about radical change that will impose a severe detriment to the attractiveness of the Property and its idyllic countryside setting.

8. The scheduled works will restrict your petitioners' ability to use Potter Row and the surrounding narrow lanes and roads. Access to these roads is necessary to enable your petitioners to reach Great Missenden and Wendover for shopping, recreation, medical services, the railway station and access to the A413.

9. When constructed and operational, by virtue of being built in an open cutting, just to the south of the Property, the scheme will present extremely damaging noise and visual impacts on the immediate vicinity. This will have a permanent detrimental impact on the Property's value.
Acquisition of the Property by the Secretary of State

10. Your petitioners have since 28 August 2015 been trying to sell the Property. Despite extensive marketing of the Property for a period in excess of six months, at a price below the unblighted market value, it has not been possible for your petitioners to find a purchaser due to the close proximity of the Property to the scheduled works and the railway line once operational. Your petitioners have evidence that, despite the Property receiving a high volume of interest, particularly via online search facilities, potential buyers have refrained from viewing it due to its proximity to the scheduled works and operational railway line.

11. The fact that your petitioners have been unable to sell the Property as a result of the scheduled works and operational railway line causes them particular personal problems. Your petitioners always envisaged that they would occupy the Property until they reached retirement age. During the period of their occupation, they have made various improvements to the Property with a view to maximising the value of it. On retirement, it was their intention to sell the Property and downsize in order to release capital for their retirement. The Property is a significant burden to your petitioners both in terms of cost and maintenance. Accordingly, it is only feasible for your petitioners to remain at the Property if Mr Price continues to work.

12. Mr Price is currently 71 years old and runs an independent meat trading business. This is a significant commitment in terms of time, effort and energy which is becoming increasingly tiring for Mr Price and is adversely affecting his quality of life. It is therefore his intention to retire from the business. Given that, without Mr Price, the business has little value, your petitioners cannot rely on the sale of the business to fund their retirement plans. It is therefore vital to your petitioners that they can sell the Property in order to release capital to enable Mr Price to retire from the business. It is not feasible for Mr Price to retire from the business and for your petitioners to retain the Property. Your petitioners face an unreasonable burden if they are unable to sell the Property.

13. Your petitioners request that, given the significant impact that the scheduled works and the operational railway line have had on their ability to sell the Property, the Secretary of State be required to purchase the Property from your petitioners for its unblighted open market value.

14. Your petitioners have made an application under the Need to Sell Scheme and the outcome of this application is awaited. However, in the event that their application is refused, your petitioners ask that the comments made by the House of Commons Select Committee ("the Committee") in relation to the Need to Sell Scheme be considered in the context of your
petitioners and the Property specifically, the following quotes:

- "we have stated that a fair reason to want to release capital should generally suffice, as should the "age and stage" of homeowners. For instance, homeowners in or approaching retirement should not be forced to dig heavily into savings to sustain a property whose upkeep they could previously have sustained from earner income...applicants should not have to show that they will be penniless in order to demonstrate an "unreasonable burden". Retirement is as acceptable a reason to move as is a new job" (paragraph 8 of the Committee's First Special Report of Session 2015-16 (December 2015); and

- "although we acknowledge that not everyone in or approaching retirement will need to sell their property because of HS2, older people have restricted freedom to adapt their financial plans in response to changed circumstances. Putting it plainly, they cannot build into their plans an additional 10 or 20 years of income to address new situations. Many also face a challenge not shared by the younger: that their home itself becomes a physical burden. We believe these realities should more significantly inform the starting assumptions of those assessing scheme applications. There should be a bigger margin in acceptance rates to reflect that. It is difficult to imagine justification of less than 90% acceptance on applications by those over 70 or who will be over 70 when the project commences" (paragraph 279 of the Committee's Second Special Report of Session 2015-2016 (February 2016)).

The prayer

15. The petitioners therefore ask the House of Lords that they or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

KATIE HICKMAN
VEALE WASBROUGH VIZARDS LLP
Agent for BARRY PRICE AND DEANNA SANDRA PRICE
15 April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF DENHAM PARISH COUNCIL

 Declares that:

1. The petitioner is specially and directly adversely affected by the whole Bill

2. Your petitioner

   The petitioner is Denham Parish Council. Representing the interests of all the residents of the Parish of Denham that will be specially and directly affected by the construction of HS2.

3. Your petitioner’s concerns

1. Introduction
   1. Denham Parish Council is most concerned that there appears to be little or no recognition of the dramatic effects the building of HS2 will have on the area in and around Denham. This is clearly demonstrated by the fact that there is no allocation of funds for any infrastructure improvements.

   It could be argued that only a relatively small area of Denham is directly affected by the rail line but in fact we will be significantly affected over the many years of construction. We will house the largest construction compound in Europe and see an inordinate increase in the amount of traffic from both construction lorries and workers vehicles all of which will need to use the A412.

   The additional and constant traffic movements, along with the type of materials being transported, will inevitably increase the pollution levels throughout Denham.

   The House of Commons Select Committee Report 22 February 2016 states: Paragraph 341. We propose to the Secretary of State that local authorities along the HS2 route be able to bid to the Department for Transport for funding for such schemes if they are appropriate and capable of timely implementation. Such schemes might include improvements not just for motor vehicle users but for cyclists, horse riders and walkers, as well as better provision for the young, old or disabled. In any event, we would like HS2 to leave a legacy of improved road traffic risk identification and safety improvement along the route.
Furthermore it recognised the difficulties to be faced by Denham residents with the increased amount of traffic by also stating:

Paragraph 188. Denham, although some distance from the line itself, has its own set of traffic issues which HS2 will exacerbate. Among these are congestion on the A412 and potential problems at Old Rectory Lane, Cheapside Lane and Tilehouse Lane, (which will be partly closed). The Promoter is funding assessments, for example to look at sensitive junctions on the A412. South Buckinghamshire District Council has accepted assurances. We heard that the Promoter will remedy any damage arising from temporary diversions. We believe the Promoter should be open to the idea of shuttle bus provision from Denham to important locations such as hospitals.

2. Denham Location and Identity
Denham is the Gateway to The Colne Valley and the Chilterns from London and the South East. There is clear evidence that more and more people are visiting this area, from London and surrounding areas, with the increase in leisure traffic in the area and the increases in visitor numbers to the Denham Country Park, Black Park and Langley Park.

Whilst it is easy to accept that Denham is a beautiful rural area within Buckinghamshire, it is also uniquely blighted with its road system and geographical location. From east to west the area is divided by the A40, a major trunk road that carries all non-motorway traffic exiting and entering the Greater London conurbation and, north to south, it is divided by the A4020/A412 major trunk roads that both carry traffic entering and exiting West London. In addition it is an alternative route for exiting the M25 in case of incident or simply due to heavy traffic.

If either the M25 or M40 is temporarily closed, or drivers seek to find a less congested route, the area of Denham is completely gridlocked. Whilst it is easy to assume that this happens infrequently in reality it happens about once a week.

The Parish of Denham consists of 5 very distinct separate communities all of which, except Higher Denham, are sited on, and divided by, one of the major trunk roads.

- New Denham is on the extreme southern edge of the Parish on the major route into Uxbridge on the A4020
- Denham Village is sited on the northern edge of the A40 and on the eastern edge of the A412. At those times when both the A40 and A412 roads are gridlocked, the village is both marooned and full of cars where drivers try to escape from the gridlocked major roads and by using the only road in, and out, of the village.
- Denham Green, is the largest populated area in the Parish and is totally divided by the A412. When the road is heavily
congested it is very much affected and also is heavily affected by traffic pollution.

- Tatting End is on the western edge of the Parish and is also divided by the A40.
- Higher Denham is the only community not actually sited on one of the major trunk roads. However, it is almost totally reliant on the A412 to be able to leave the locality.

Pedestrian access between communities is difficult because of distance but it is nigh on impossible for anyone, in a community outside of Denham Green or Denham Village, to get foot access to Denham Railway Station because the current footpath is 'not fit for purpose'. We have evidence that residents from Tatting End used to regularly walk the route and some still do in summer months, when they can see, and others would like to again if the footpath was restored.

For every additional person that would be able to safely access the railway station, from the south by foot, the total number of cars using the A412 will be reduced. This, in turn, will both reduce the amount of pollution and also the length of the queue.

2. **Condition of Footpath**

The section of path in question, some 800 - 1000 metres long between Village Road and Denham Railway-bridge, is currently unfit for purpose. In addition to being too dark, the path is uneven, is covered by low hanging trees, encroached by undergrowth and it is often flooded and covered in mud. The problems are made worse as, for long stretches, it is well below the height of the road and the land opposite. This makes it appear to be a narrow valley that all too easily collects water and floods.

The Parish Council believes, that whilst this should be seen as a highway matter, consideration must be given that footway improvements, with lighting, becomes much more urgent due to the amount of extra traffic that will be using the A412 as a result of HS2 construction. At the present time pedestrians often use the edge of the road to walk because of the state of the footpath and it being too dark to traverse the many obstacles. With today's traffic the danger is real and very evident, equally, because of the constant amount of traffic, cyclists who use the road are also at risk.

Some cyclists do use the current footway, with difficulty, due to the amount of surface water and mud. A safe cycleway is needed NOW for this route and will be very much more needed once the number of heavy lorries start to use the road on a regular basis. The footway, ideally, should be wide enough to incorporate a dedicated cycleway.

Denham area, to date, have had no HS2 mitigation money allocated and we strongly believe that footway improvements, to this section of the A412, qualifies for consideration on many counts.
3. **Conclusion**

Because of the strategic importance of the A412 to the HS2 building infrastructure, we strongly believe that residents of Denham fully deserve consideration of mitigation and/or compensation for the considerable inconvenience they will face during the long construction period.

We believe that it needs to be recognised that Denham will see and feel the effect of HS2 construction from Day 1 until the time it is decided that the construction compound is no longer required, which may well be after the construction has actually been completed.

The provision of a footpath 'fit for purpose', with lights and a cycleway for the people of Denham would be partial mitigation and/or compensation for what they will be contributing towards the building of HS2.

4. **The prayer**

The petitioner therefore asks the House of Lords that he*, or someone representing him* in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Denham Parish Council

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Roy Hill – Agent

Denham Parish Council
Parish Council Office
Denham Village Hall, Village Road
Denham
UB9 5BN

01895 834709
clerk@denhampc.co.uk

14 April 2016
18. **HS2**

The following correspondence had been received since the last meeting and was noted by the members.

- 5294/16 BCC HS2 Project Support. Link to FAQ's and HS2 House of Lords Petitioning Kit.


Cllr. Williams had attended the local seminar on HS2 and is currently writing up notes from the meeting. Cllrs. Heath and Williams had met with Mark Shaw and County Cllr. Reed regarding the state of the A412 footpath from the A40 junction up to the railway bridge at Denham Green. Mr Shaw will look at getting finance for a feasibility study of repairing the footpath. The Parish Council will need a lot of evidence based feedback from residents and users of the footpath to build a case for reparation. The Parish council will erect signs at both ends of the footpath requesting feedback from users of the footpath. Leaflets will be available at Denham Station for commuters, residents will be emailed and notices posted on the Denham Community Group website. Other suggestions included inclusion in ‘In and Around Denham’ magazine, canvassing members of the Cricket Club. Leaflets at the Colne Valley Park Visitor Centre and any local cycling clubs that may use the footpath. It was AGREED that we would Petition the House of Lords Select Committee and write to HS2, with a copy of the submission.
PETITION against the
High Speed Rail (London – West Midlands) Bill

THE PETITION OF Geoffrey and Christine Channon

Declares that:
1. Your petitioners are specially and directly adversely by the whole Bill

2. Your petitioner
Your Petitioners are Geoffrey and Christine Channon, who reside at Hundle House, Blind Lane, Great Missenden, Buckinghamshire, HP16 0RW, and whom the Bill will specially and directly affect, both during construction and after completion, by the proposed HS2 line.
Your Petitioners live in that part of the Chilterns Area of Outstanding Natural Beauty (AONB) which the Bill will specially and directly affect

Your Petitioners are injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

3. Your Petitioner’s concerns

3.1. Tunnel throughout the Chilterns AONB
Your Petitioner as residents of this part of the AONB are concerned about the serious and injurious effect of the currently intended proposals regarding this part of the AONB.

In this respect, between South Heath and Wendover, Buckinghamshire, the Proposed Route is on the surface and includes sections in cuttings, and on two viaducts and on embankments. This area is designated as an Area of Outstanding Natural Beauty under Section 85 of the Countryside and Rights of Way Act 2000 (CROW Act) and is further protected under the National Planning Policy Framework and the European Landscape Convention.
Your Petitioners contend that building HS2 on the surface in this section will permanently destroy the tranquillity of the area and the beauty of its landscapes, qualities that lead to the AONB being visited over 50 million times a year by visitors from London and other areas, have severe adverse effects on the social, environmental and economic cohesion of the communities in the area during and for a period after its construction, and permanently and seriously reduce the ability of residents of the area and the numerous visitors to enjoy the natural benefits of the area in which they live.

As well as the above, your Petitioners have serious concerns about the effects of building this railway as currently proposed will have on them for many years. We live off a small lane which is our only access. It is narrow, single tracked, and liable to flooding and blockade by snow in the winter. It is used by walkers, horses and to access country pursuits. It is the Petitioners only outlet for work, shopping, rail travel and recreation. During the proposed construction it will become a rat run and rapidly obstructed. Exit is on to the B485 between Chesham and Great Missenden. It is a busy rural and historically dangerous road. In the current proposal there will be two large construction areas related to the northern portal and a ventilation shaft. These will be in use for some eight years. As well as dirt and noise they will cause traffic congestion. Minor roads close by will be unusable. The provision of a new service road to remove spoil during construction will feed onto the A413 at the Great Missenden roundabouts and cause severe traffic hold-ups on it and the B485. Proposed traffic movements are in excess of the performance possibilities of the Missenden roundabouts. Alternative entries for spoil further north on the A413 would also cause tremendous congestion. As an orthopaedic surgeon I have great concerns about the retrieval of road accident and construction casualties on these congested roads without helicopter support. I also expect difficulties for both staff and patients in accessing the local hospitals.

Your Petitioners request that the Chilterns AONB be further protected by extending the presently proposed bored tunnel beyond Wendover, by requiring the construction of an extended tunnel, based on the T3i proposals, as developed by HS2 Limited, to ensure that the line passes through the whole of the AONB in a bored tunnel. The extended tunnel proposals have been referred to in the Environmental Statement and accepted by DfT and HS2 Ltd as both feasible and environmentally preferable. This proposal has been extensively discussed with local councils and action groups and within the local area forums, and is supported by them. The adoption of this proposal, which is jointly submitted and will be presented with others, would substantially remove the adverse effects complained of in the remainder of this petition and the need for most of the proposed remedies otherwise required.
3.2. Your Petitioners accordingly emphasise that, if the Bill were to be amended to include the provision of a full tunnel throughout the AONB as referred to in paragraph 3.1 above, then, whilst the mitigation measures set out in paragraphs 3.2 and 3.3 below would, in large measure, be unnecessary and their impacts would be otherwise effectively mitigated, your Petitioners request that, except to the extent met by any such provision, the following mitigation measures should be adopted and implemented

a. That possible further extensions of the tunnel from South Heath and at Wendover be adopted, particularly as this also has acknowledged environmental benefits.

b. That, if that is not accepted, then the line along this section of the track be housed within deeper cuttings, with larger sound barriers and bunds, where appropriate, to seek to reduce noise and to conceal the line and the gantries and that the power for the contractor to raise the line by up to 3 metres is excluded for the AONB section of the line.

c. That the existing proposed green tunnel at Wendover be extended to the south and north of Wendover.

d. That provision is made for constructing bridges where there is established rights of way, including making these Green Bridges, bearing in mind not only the need to retain trees and shrubs but also the need to preserve wild life access, particularly given that this is part of the AONB.

e. That the speed of the trains be reduced as per the recommendation of the House of Commons Environmental Audit Select Committee Report in order to help reduce the environmental impact and sufficient to ensure compliance of noise mitigation with the World Health Organisation standards.

f. That the Wendover Dean and Small Dean viaducts and adjacent embankments be of high quality infrastructure to be made as visually pleasing as possible, with enclosures where possible and with the maximum use of noise barriers on both sides, including boxing in if necessary.

g. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow to at least forty feet high, in order to conceal the line from view at the earliest possible time.

h. That the plans for the current Hunts Green Spoil Dump are substantially reduced and minimised and that arrangements are made for the spoil to be removed from the area by rail or pipeline. Your Petitioners point out that, if the full tunnel proposals are adopted, then the amount of spoil involved for this section of the line will be substantially reduced and it could also be removed, including by rail, at the Wendover exit of the tunnel or, if bored one way, from the M 25 end of the tunnel.

i. That in relation to the balancing ponds, alternative sustainable urban drainage system techniques are considered in consultation with the local authority and that any ponds should not be artificially lined.

j. That in relation to the River Misbourne, and water supply, full surveys and continuing monitoring should be undertaken regarding water quality and the effect of the construction works, with actions undertaken, including cessation
of construction in this area, if any adverse impacts are found

k. That the pylons along this section of the line are removed and the power lines are reinstated underground.

l. That it is specified that for the AONB, the line should have specially designed and constructed gantries designed to be as compatible and as inobtrusive as possible with the AONB environment and which designs shall first be subject to prior full consultation with local authorities and other local concerns for the Area.

m. That the local authorities for areas along the proposed line should be reimbursed and compensated for additional expenditure and losses incurred in relation to their involvement and responsibilities in all aspects of the construction and operation of the proposed line

n. That there should be established a Chilterns AONB Review Group as envisaged and described in, and with the powers and responsibilities as set out in, the amendments to the Bill regarding the same as proposed by Cheryl Gillan and Keith Baker for consideration at the Report Stage of the Bill in the House of Commons

o. That there should be established an independent HS2 Adjudicator with the duties, powers and functions as set out in the amendments regarding the same under the name of Cheryl Gillan and others relating thereto as proposed for consideration at the Report Stage of the Bill in the House of Commons

p. That arrangements should be made for independent local Valuers to be appointed to advise the Promoter in relation to compensation assessments and Need to Sell Scheme and other property valuations

Q. That an independent assessment of cost including in respect of full tunnelling and a full cost benefit analysis is undertaken in relation to the AONB area before any construction works commence in this area.

3.3 Your Petitioners further request that the nominated undertaker be required to mitigate the remaining nuisances, by giving the Code of Construction Practice legal effect with independent assessment of compliance and sanctions for breach of the Code. In addition your Petitioners request that the Code should specify, in all cases, the required mitigation work, facilities and construction be undertaken to the best available standards and techniques and to the highest standard of construction and operation of the railway and its associated developments and, in particular, that the Code or requirements in the Bill be so amended to enforce the following measures:-

a. Restricting HGV daily movements to the period between 09:30 and 15:30 throughout this section of the AONB, and particularly along the A413

b. Additionally prohibiting HGV movements to and along the A413 during busy traffic periods and along school routes between 08.00 and 09.00 and
between 15:00 and 15:30 during school terms.

c. Prohibiting any widening or enlargement of the narrow minor lanes.
d. Constructing new roads for the contractors and vehicles to access the trace directly from the A413, including new haul roads, to avoid linking the same with the Link Road roundabout at Great Missenden and at Rocky Lane and prohibiting the use of all existing narrow minor roads in the AONB by construction traffic.
e. That the Promoter and the contractors should be required to construct the railway to ensure that during construction and operation of the line noise, dust and vibration is minimised to meet the highest standards applicable and controlled and that air quality is maintained.
f. Constructing such facilities as may be necessary to remove spoil from the AONB area, including by rail or by pipeline, to apply proper methods of dealing with spoil and avoiding the creation of the spoil dump at Hunts Green.
g. That contractors in the AONB will be required to restore the land and temporary access roads after use to acceptable AONB landscaping and that local authorities be given the power to inspect such works and if necessary sanction contractors. During construction, the nominated undertaker must be responsible for maintaining the quality of all roads used during and after construction, so that the roads must be returned to their original size and character, and all damage repaired by the nominated undertaker.
h. That the Promoter provides an air ambulance with crew on standby during working hours, to ensure that medical emergencies receive a prompt response.
i. That appropriate arrangements be made and put in place, including for the Promoter of the Bill to provide or secure the provision of the necessary additional finance, to enable the local police forces to increase policing and to put in place other protective arrangements in order to reduce the risk of crime in the area during construction.
j. A hotline should be set up allowing residents to raise any issues of concern arising during construction and in particular for road users to report any damage to the roads, and the local and highway authorities should have access to all reports to ensure these are addressed and remedied in a reasonable length of time.

4. The prayer

The petitioners therefore asks the House of Lords that your petitioners, or someone representing your petitioners in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.
AND the petitioners remain, etc.

Geoffrey M Channon

Christine J Channon

April 15th 2016
To the House of Lords  
Session 2015 - 16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF GREAT MOOR SAILING CLUB (MR NIGEL JOHN FRENCH as AGENT & TRU STEE)  

Declares that:  

1. The petitioner is specially and directly adversely affected by the whole Bill  

2. Your petitioner  

The petitioner is Great Moor Sailing Club, Grebe Lake, Charndon, Buckingham, MK18 2EP. Your Petitioner is the freehold owner of Glebe Lake and all surrounding property known as Great Moor Sailing Club (“your Petitioner’s property”).  

3. Your petitioner’s concerns  

I. Your Petitioner’s property lies within the Zone of Theoretical Visibility as shown in the maps that accompany the Environmental Statement.  

II. Your Petitioner’s property lies within the area shown in the Environmental Statement which will be impacted by noise from the construction and operation of HS2.  

III. Your Petitioner is a regular user of Perry Hill, which is within the limits of land to be acquired and used under the Bill and is liable to be used by construction traffic during the period of construction of the works authorised by the Bill and is liable to be interfered with for the purposes of works authorised by the Bill. Your Petitioner’s property is located on Perry Hill which is proposed to be used under the Bill as a route for construction traffic for over 2,400 vehicles per day.  

IV. Your Petitioner’s property is within the limits of land to be acquired and used as shown on the plans deposited with the Bill, and the property is therefore liable to compulsory acquisition under the Bill.  

V. Your Petitioner’s property is adjacent to the several construction sites proposed to be used under the Bill. Therefore your Petitioner’s property will be subject to intolerable noise/dust/visual impact/vibrations for a period of up to 10 years. The Environmental Statement accompanying the Bill states that your Petitioner’s property will be affected by noise, dust, traffic and vibrations.  

There are remedies which the government could implement to alleviate the proposed disruption to the day to day running of Great Moor Sailing Club as follows:  

2) Acquisition of land  

Part of your Petitioner’s land is subject to compulsory acquisition under the Bill. This action will remove part of the forestry conservation area and part of the berthing for our
boats, in addition to associated buildings currently used for storage of Sailing Club equipment.

Part of your Petitioner's land is subject to compulsory acquisition under the Bill. Your Petitioner believes that the Promoters have provided no proper justification as to why all of that land is required. The powers under clause 47 to acquire land for regeneration and other purposes are unprecedented, unnecessary and only serve to create additional blight.

The acquisition of your Petitioner's land, contained within the Hybrid Bill, will have an adverse effect on the day to day running of the Sailing Club, and therefore its future viability.

Your Petitioner seeks an assurance that the Secretary of State will acquire no greater amount of its land than is reasonably required for the construction and operation of the works authorised by the Bill. Your Petitioner requests that the Bill and the deposited plans be amended to exclude land that is not required, or that the Secretary of State be required to enter into legally binding agreements with your Petitioner that land that is not required will not be compulsorily acquired. In addition, your Petitioner requests that the Bill be amended so that any land which is only required temporarily for construction purposes should be categorised as such and not subject to permanent powers of acquisition. In addition your Petitioner respectfully requests that clause 47 be removed from the Bill.

If your Petitioner's land is to be acquired, then your Petitioner requests that the Bill be amended or the promoter required to give sufficient notice before taking the land. The proposals in the Bill for the giving of notice are inadequate. The proposals for compensation in the Bill are also inadequate and should be amended.

Your Petitioner requests HS2 Ltd relocate the Sailing Club facilities (Club House, Boat Park, Member Car Park, Storage, Workshop and Training Buildings) elsewhere within the land owned by the Sailing Club. The club requests HS2 Ltd cover all costs associated with any relocation. Your Petitioner seeks an assurance that the forestry area will be returned to a managed forestry area on completion such that it will act as a noise barrier when the railway is in operation. In addition that resource is made available to relocate the boat berthing areas and that the day to day activities and operation of the sailing club can continue in a satisfactory manner.

2) **Noise, vibration, dust and air quality - Construction**

Your Petitioner is gravely concerned about the impact of the significant volume of construction traffic (2400 vehicles per day) at the front of their property along Perry Hill. The increased noise and vibration will have a serious adverse effect upon the clubhouse and training areas and the tranquillity presently enjoyed.

The noise and vibration impacts detailed within the Environmental Assessment will have an adverse effect on the day to day running of the Sailing Club. Your Petitioner is concerned about the effects of noise arising from the construction of the high speed railway and associated development including heavy lorry traffic.

Your Petitioner is also concerned that the operation of the high speed railway will give rise to noise. Noise would severely impact upon the use and enjoyment of the Property by your Petitioner.
Your Petitioner is concerned about dust and dirt produced during construction and operation of the high speed railway and associated development and the effects of this on their Property and environmental quality of the neighbourhood.

Your Petitioner is concerned that there are no binding mitigation measures in relation to emissions, especially in light of the siting of the sustainable placement areas for spoil, prevailing wind direction and the amount of earth to be moved.

Your Petitioner is concerned about the potential adverse impacts on air quality as a result of the construction and operation of the high speed railway line and associated development.

Your Petitioner suggests that the anticipated traffic level on Perry Hill is unsuitable for an adjacent family club. Unless an alternative route can be found, your Petitioner requests relocating your Petitioner's property to another part of their land. This would remove the problem. The location of the Club House has not been assessed or surveyed by HS2 for the adverse impacts indicated by the ES. Your Petitioner requests that HS2 undertakes this survey.

Your Petitioner requests that the nominated undertaker should be compelled to use best available techniques in the construction and operation of the high speed railway and its associated development to ensure that no noise can be felt in the Property and there are no other adverse effects.

Your Petitioner requests that there should be binding mitigation measures including an effective noise mitigation and monitoring system in place before commencement and during construction and operation of the high speed railway and associated development. The binding mitigation and monitoring measures should be decided by a panel of independent experts on the basis of independent expert evidence. For example the House of Commons Environmental Audit Committee's report entitled HS2 and the environment thirteenth Report of Session 2013-2014 dated 7 April 2014 recommended an independent body to monitor and publicly report on all aspects of environmental protection needed for 60 years.

Binding mitigation measures should include but not be limited to full noise barriers and noise insulation for buildings and re-housing. The trigger levels at which point noise mitigation becomes necessary should be reduced.

Your Petitioner is concerned that Clause 35 of the Bill and Schedule 25 provide that appeals against notices or against failure to give consent or the giving of qualified consent under the Control of Pollution Act 1974, section 60 (control of noise) and section 61 (prior consent for work on construction sites) may be referred to the Secretary of State or arbitration. Your Petitioner is also concerned that Schedule 25 would provide a defence to statutory nuisance for the nominated undertaker.

Your Petitioner requests that Clause 35 and schedule 25 are deleted from the Bill.

Your Petitioner requests that the nominated undertaker should be compelled to use best available techniques in the construction and operation of the high speed railway and its associated development to ensure that no vibration can be felt in the Property and there are no other adverse effects.

Your Petitioner requests that there should be binding mitigation measures including vibration and resultant damage mitigation and monitoring system in place before commencement and during construction and operation. Binding mitigation measures should include but not be
limited to an express obligation to undertake specific measures to limit structural and other damage to the Property, installation of noise barriers which ensure compliance with World Health Organisation acceptable peak sound levels and the integration of full barriers into the structural design of viaducts with shallower support structures beneath track level.

Your Petitioner submits that in relation to dust there should be a precise, comprehensive and binding management plan, with a clearly defined authority for the monitoring of its implementation.

Your Petitioner requests that there is a requirement to carry out additional mitigation if dust becomes a nuisance to your Petitioner's Property and the neighbourhood. Your Petitioner submits that provisions should be made to ensure that the nominated undertaker takes responsibility for the reimbursement of your Petitioner for additional expense caused by dust and dirt.

Your Petitioner requests that before construction there should be an air quality baseline monitoring study benchmarked against the Air Quality Standards Regulations 2010 and a copy of this report should be provided to the relevant local authority.

Your Petitioner requests that the local authority should be provided with funding to undertake responsibility, compliance and enforcement for the monitoring of air quality in accordance with binding mitigation plans and that the results of monitoring are made publicly available.

Your Petitioner requests HS2 Ltd relocate the Sailing Club facilities (Club House, Boat Park, Member Car Park, Storage, Workshop and Training Buildings) elsewhere within the land owned by the Sailing Club. The club requests HS2 Ltd cover all costs associated with any relocation.

3) **Noise, Vibration, Water and Settlement - Operation**

Your Petitioner is concerned about the effects of vibration arising from the construction of the high speed railway and associated development including heavy construction traffic.

Your Petitioner is also concerned that the operation of the high speed railway will give rise to vibration. Vibration will severely impact upon the use and enjoyment of the Property by your Petitioner.

Your Petitioner is concerned about settlement effects on your Petitioner's property due to construction of the roads and associated works near and adjacent to your Petitioner's property.

Your Petitioner is concerned about the omission in the ES of an interlinking tunnel between their lake and the BBOWT nature reserve, Jubilee Lake, running beneath Perry Hill. This tunnel acts as a balance to keep the levels of both lakes the same and allows a regular overflow from a culvert out of Jubilee Lake. This fact was included in your Petitioner's compensation letter of January 2013 but has no mention in the current ES, or any of its parts. The effect of this omission is that the water and flood calculations are incorrect.

Your Petitioner is particularly concerned that the projected HGV and LGV traffic of over 2400 vehicles per day on Perry Hill above this tunnel will have an impact on the tunnel's structural...
integrity and the road above. If this does occur then the level of water will be affected and consequently a negative impact upon the operability of the club.

Your Petitioner requests that an urgent study is undertaken to reassess the balance between the two lakes and the outflow from Jubilee Lake and its culvert underneath the railway. In addition your Petitioner would seek an assurance to be given by the undertaker on the continued operation and integrity of the interlinking tunnel and other drainage issues associated with the scheme.

Your Petitioner would like to see an effective and agreed monitoring system in place prior to construction, to measure the exact effect of any settlement on the property. This must include an agreed threshold for ground movement within the vicinity of the property, and distortions of its structure. If the threshold is exceeded, construction must stop until remedial measures are in place to minimise settlement and avoid damage to the building. A full condition survey should be undertaken both before construction, and at agreed dates thereafter during construction, to identify if any damage has been caused. Surveys must be undertaken by an independent surveyor, and all information must be made available to the Petitioner. Any costs associated with this must be paid in full by the nominated undertaker. Any damage caused by settlement must be remedied as soon as possible.

4) **Construction Traffic**

Your Petitioner is concerned about the effect of the construction traffic on Perry Hill particularly the volume of HGV and LGV traffic, stated within the EA as over 2400 vehicle movements per day. The exit and entrance to their property is on a bend and is in a delimited area. Very fast traffic goes along this road and your Petitioner is concerned about the safety of its members when entering and leaving the site at times towing trailers. Your Petitioner considers this a high risk area and a danger to health.

Your Petitioner acknowledges that Perry Hill is a logical route but requests that a traffic calming and 30mph speed limit be introduced. If this is not acceptable due to the need to maintain the number of HGV and other vehicle movements then consideration should be given to relocating the clubhouse to another part of your Petitioner’s land.

Your Petitioner has the support of Buckingham County Council who have commented as follows “the local highways authority, supports the concerns put forward by Great Moor Sailing Club with regards to its access and asks the promoter to instruct the nominated undertaker to provide a new access for the Club with suitable compensation for any loss of amenity”

5) **Ecology (1)**

Your Petitioner is concerned about the level of lighting from the IMD in its operational phase and its effect upon the wildlife on the site.

Your Petitioner is concerned about the impacts of the loss of woodland and vegetation at Grebe Lake on the wildlife that use this site. The loss of any wildlife habitat affects your Petitioner, whose membership regularly uses the Petitioner’s property to appreciate the variety of wildlife in this area.

Your Petitioner requests that all external lighting is directed solely onto the working area of the IMD site and only onto areas that are in use at that time. It is suggested that low level lighting be used in walking areas and high level only where loading or heavy lifting is taking place.
Your Petitioner requests that habitat compensation should be like-for-like, with no net loss of habitat of comparable ecological value, and that a net gain in biodiversity and habitat compensation is delivered. This must be delivered as close as possible to the site of loss, in locations which will not be further impacted. Planting mitigation should be carried out well in advance of vegetation removal, so that habitats reach their functional maturity before the original habitats are lost.

6) **Ecology (2)**

Your Petitioner notes that there is no mention of fish within its property and would point out that this is an omission in the ES as it has an active fishing membership. Your Petitioner also notes that, despite the high number of HS2 Ltd surveys already conducted on Sailing Club property, the ecology baseline for birds, animals and plants is incomplete for its site as other species have been recorded during the Club’s own surveys over a number of years. We request HS2 Ltd undertake surveys to analyse water quality and ensure the lake remains a suitable environment for the current fish population.

7) **Lack of information**

Your Petitioner wishes to express frustration when trying to find information and reference to its property. As an organisation that needs information about its water it required maps to confirm any effects. On requesting water maps they were told they were available to order online, this was unacceptable. It was also difficult to find these maps on the HS2 site, after a number of calls they were eventually told they were on the .gov site. Why were they not available through the single site, this just wastes time.

Your Petitioners’ site is referred to in at least 4 ways throughout the reports (Grebe Lake, Glebe Lake, Calvert Brick Pits and Calvert Brick Pits CWS), this inconsistency has made information gathering and analysis very difficult and time consuming. Your Petitioner is concerned that there are areas which have been referred to in other ways.

We would request that there is consistency between each of the reports.

8) **Loss of Amenity**

Your Petitioner wishes to express concern at the high level of traffic noise and expected loss of tranquillity and amenity associated with the sailing club and its property. It is envisaged that this loss of amenity will adversely affect the membership numbers of the club and will therefore have a detrimental impact on the financial wellbeing and viability of this essential leisure amenity.

Your Petitioner is concerned about adverse impacts on the visual amenity of the Property and the neighbourhood during construction and operation of the high-speed railway and associated development.

Your Petitioner requests that there should be binding mitigation measures to reduce the adverse impacts on visual amenity including but not limited to screening of the construction and operation of the high speed railway and associated development, use of deep cuttings, and ensuring new buildings blend in with the rural surroundings and are well maintained.

Your Petitioner is concerned that security fencing will adversely impact on the visual amenity of their Property and the surrounding landscape.
Your Petitioner requests that in rural settings security fences should be coloured olive or yellow green. The colour of the security fencing should be approved by the relevant local authority and the nominated undertaker should be under a binding obligation to keep it in good repair.

Your Petitioner requests HS2 Ltd relocate the Sailing Club facilities (Club House, Boat Park, Member Car Park, Storage, Workshop and Training Buildings) elsewhere within the land owned by the Sailing Club, where amenity can be re-established. The club requests HS2 Ltd cover all costs associated with any relocation.

9) **Absence of contact and information**

Your Petitioner has had little direct approach from HS2 despite submitting their Compensation letter in January 2013 and the ES Comments in February 2014. Both of these documents raised the issues of noise effect upon the club and in particular the importance of the interconnection with the adjacent Jubilee Lake.

Your Petitioner wishes to express concern regarding the poor provision of information supplied by the promoter, both prior to the deposit of the Bill, and since the Bill has been deposited. The ongoing lack of information has made it particularly difficult to understand the full impacts of HS2, and therefore commenting on the project has been particularly difficult. It also raises the question as to why this information is being withheld when it has been produced.

Your Petitioner expects to be able to consult on the final version of the CoCP and any other relevant documents that are produced, prior to construction taking place. We also request that in future, all information is made available in a timely manner.

Your Petitioner requests that more direct contact is made and discussions established with HS2.

In closing, your petitioner has the support of our local MP, RT Hon John Bercow, for the proposal of HS2 relocating the Sailing Club buildings and associated facilities to the northern shore of the lake, correspondence attached.

Great Moor Sailing Club is a private membership organisation which charges modest fees and is not run to maximise profits but to provide a tranquil leisure facility for the membership, and as such the relocation of the clubhouse is essential for its continued survival, as we would prefer to remain at Grebe Lake, and there are no viable alternative locations to relocate to.
4. The Prayer.

The petitioner therefore asks the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Signed, Nigel John French - Agent

Date:
14th APRIL 2016
To the House of Lords
Session 2015–16

PETITION against the

**High Speed Rail (London – West Midlands) Bill**

**THE PETITION OF : H.W. Taroni Metals Ltd**

Declares that:

The petitioner is specially and directly adversely affected by Clauses 1-36 of the above Bill, works specified under Schedule 1 and the provisions of A.P.2.

1. **Your petitioner**

   The petitioner is a Company in occupation of Freehold and Leasehold Land known as Railway Sidings, Aston Church Road, Birmingham B8 1QF. H.W. Taroni Metals Ltd are Birmingham’s oldest (4th generation) family run recycling business, first established at this site over 60 years ago.

2. **Your petitioner’s concerns**

   The petitioner operates 8 specific but interlinked business operations on their site. Initially the HS2 scheme would have removed the entirety of the car salvage operation and a strip of land from their main site fronting Aston Church Road to facilitate road widening/realignment. This would have required some reorganisation but essentially enabled the business to continue trading.

   The A.P.2. Amendment would require HS2 to take the majority of the petitioner’s site, principally to permit the construction of a new temporary traffic island at the junction of Arley Road and Aston Church Road. These works are consequential to the HS2 scheme and have been designed to create a suitable alternative route for vehicles accessing The Saltley Business Park (which comprises approx. 1 million sq.ft /95,000 m2) along Arley Road whilst the main entrance to the Business Park is closed during the rebuilding of the Saltley Viaduct.

   The proposed creation of the new traffic island would involve a far greater land take than we believe is necessary. Whilst only a temporary arrangement for the period during which the Saltley viaduct is closed, the loss of this land even on a relatively short term basis will make it impossible for the petitioner’s business to continue to trade. In any event we do not believe that this is the most practical solution.

   HS2 are already committed to the acquisition and demolition of the “Cargo Express” premises on the other side of Aston Church Road. We believe that the best solution would be to utilise the Cargo Express land to create an alternative access
into The Saltley Business Park which is shown on draft plans as the “Hansteen Access Option” (HAO).

Under this amended “HAO” scheme, the new Entrance/Access point to The Saltley Business Park on Aston Church Road can be made to link neatly to the Business Park’s existing estate road (Cumbria Way) which is a short distance away. The “HAO” scheme enables all commercial traffic servicing the Business Park to be routed away from the significant number of residential households located off Arley Road and also avoids potential conflict with traffic visiting the Mosque located at the junction of Arley Road with Aston Church Road.

Arley Road is wholly unsuited to the volume and size of large commercial vehicles which would be required to use this under the AP2 scheme as proposed. Arley Road already has a width restriction/traffic calming measures to minimise the impact of the existing, relatively small number of commercial traffic movements on the adjacent residential developments which incorporate a children’s play area.

The amended “HAO” proposal would significantly reduce the land take from the petitioner’s site and enable this long established family business to continue trading. This proposed disruption and the likely extinguishment seems wholly unnecessary given the availability of other land which is under HS2 control and the other identified benefits as above.

3. The prayer

The petitioner therefore asks the House of Lords that he in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

TR Senior BSc MRICS of Checkley & Co LLP Chartered Surveyors.

as Agent for HW Taroni Metals Ltd.

15 April 2016
To the House of Lords

Session 2015-16

Petition against the

High Speed Rail (London - West Midlands) Bill

THE PETITION of the Camden Town Conservation Area Advisory Committee

Declares that:

1. The petitioners are specially and directly adversely affected by the whole of the Bill.

2. Your petitioners are the members of the Advisory Committee. The Co-Chairs are Mrs Margaret Richardson (64 Albert Street, NW1 7NR) and Mr Gordon Macqueen (20b Gwynne Road, SW11 3GL)
   The Committee members are Luisa Auletta (33 Arlington Road, NW1 7ES), Mrs Penny Jones (Flat 4, 17/19 Delancey Street, NW1 7NP) and Mr Anthony Stoll (11a St Martins Almshouses, NW1 0BD)

The Camden Town Conservation Area was designated by the London Borough of Camden in 1987. It can be divided into two areas of a distinctly different character - a busy commercial area on Camden High Street and a quieter more formal residential area. The residential parts of the Conservation Area, which lie between the High Street and the railway cutting, are largely homogenous in scale and character and were built between 1820-1850 and the terraces of houses are listed Grade 2. After the War, from about the 1960s, they were gradually restored and today form splendid stretches of well-preserved three-storey houses, with their cornices, iron balconies and railings intact.

3. Your Petitioners' concerns are as follows:

   • Construction routes and diversions.
     Delancey Street, Mornington Terrace, Mornington Street, Mornington Place, Mornington Crescent and Arlington Road are all designated as construction routes and will all bear the brunt of heavy lorries.
     Delancey Street will particularly suffer from the greatest number of lorries making their way to Park Village East. We ask that some of these lorries should approach Park Village East via Albany Street.
     After the demolition of Mornington Bridge, we ask that the proposed traffic system be revised to avoid Albert Street and Arlington Road becoming 'rat runs' for southbound traffic.

   • Vibration
     The listed terraces do not have sturdy foundations. They rest on earth. We petition that speed bumps should be removed from all roads in the Conservation Area and the speed limit should be restricted to 20mph in the residential areas.
• **The Mornington Street Bridge**
We ask that the bridge and the brick walling bordering the cutting be carefully rebuilt following the same design and using the same materials.

• **Views of the Head House and Vent Shaft – Prior Consultation**
The outlook from our Conservation Area across the Cutting is very important. The Vent Shaft and Head House will be new structures visible from Mornington Terrace and will be part of our setting. For these buildings we feel that high quality modern design can sit comfortably with Listed buildings and we would welcome innovative design solutions.
We ask that HS2 should consult us about the designs for these buildings.

• **5 Blight**
We are particularly concerned that the residential part of our Conservation Area will be blighted by over 10 years of construction. Many people may leave the area and houses may lose their value. The many Listed buildings may become neglected which would affect the character of the Conservation Area.
We ask that HS2 make every effort to mitigate the impact of the lorries on the quiet streets in our area and to confirm that they will remove the spoil by rail.

• **6 Conservation Monitoring**
Our Committee asks for an architect with accredited conservation experience to join the HS2 Design Review Panel and be afterwards retained at construction stage until completion of the Cutting, the bridge and the new buildings as well as any repairs and alterations to the Conservation Area’s residential buildings.

The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

Signed:

MRS MARGARET RICHARDSON, OBE, HON FRIBA
Co-Chair, Camden Town Conservation Area Advisory Committee (AGENT)
15th April 2016

Signed:

MR GORDON MACQUEEN, DIP ARCHITECTURAL ASSOCIATION
Co-Chair, Camden Town Conservation Area Advisory Committee
15th April 2016
To the House of Lords  
Session 2015-16  

PETITION against the  

High Speed Rail (London - West Midlands) Bill  

THE PETITION OF RAY AND KRISTIN WATKIN  

Declare that:  

1. The petitioners are specially and directly adversely affected by the whole Bill  

2. Your petitioners  

The petitioners with a combined working total of 77 years as secondary school teachers felt we deserved the best in our retirement. After careful research we bought 2 'The Hollies' Red Lane, a 19th Century cottage in January 2010 (some months before the announcement of the construction of HS2) because it provided what we were looking for; a rural sanctuary with easy access to Warwick Arts Centre via the Greenway, offering opportunities to be part of a rich village community centred on Burton Green Village Hall and where we could enjoy our favourite pastimes of walking, cycling, gardening, bird watching, theatre and cinema going. We have invested a significant proportion of our savings in restoring and modernising the interior of the cottage and developing the gardens.  

3. Your petitioner's concerns  

However, since the announcement of the construction of HS2 and all that will entail our dream of an active and healthy retirement has been shattered. During the construction phase our ability to walk the footpaths directly from our property will not be possible, our use of the Greenway will be seriously curtailed and our cycling in and around Burton Green will be difficult because of construction activities and additional heavy traffic. The tranquillity of our gardens will also be affected by noise and dust and when the line is operational we will be adversely affected by the noise and vibration of the frequent high speed trains notwithstanding the proposed extensions to the cut and cover tunnel through the heart of the village.  

During the original presentation by HS2 in the Village Hall the noise of the high speed trains was modelled by averaging the sounds over a 24 hour period – nothing but a whisper. We have stood on the platform of Macon Loch train station as a French TGV train thunders through at around 200kph and felt the physicality of the noise and vibration of the passing train. When we presented our original petition to the House of Commons the Select Committee was given an assurance by HS2 that they would model the actual noise of a high speed train entering and leaving the portal of the cut and cover tunnel. This commitment has not been forthcoming leaving your petitioners with the impression HS2 has something to hide. We would ask the House of Lords to insist on a real modelling of the noise involved when:-  

- A high speed train enters and leaves a tunnel portal at full speed  
- The noise (and vibration?) a user of the Greenway would experience as a high speed train flashes past.
Your petitioners do not know how great the disruption to their lives will be during the construction phase. It may be we feel we will have to move out of our property until the works are all complete. Although we live outside the 120 metre zone (circa 150m from the line) we feel HS2 should be obliged to compensate us for any upheaval. The Company has a poor reputation when dealing with matters to do with house selling, the problems of blight which affects the whole village and inconvenience compensation. We would ask the House of Lords to require HS2 to revisit to the satisfaction of the House of Lords, all its policies, procedures and working practices, with regard to compensation and in particular appropriate compensation for people who feel they have to temporarily leave their home because of the disruptions caused during the construction phase and compensation for the loss of tranquillity and habitat and amenity loss after construction when the line is operational.

4. The prayer

The petitioners therefore asks the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

Kristin Watkin

Ray Watkin

(Petitioners and joint owners of 2 'The Hollies', Red Lane, Burton Green, Kenilworth CV8 1PF)

15th April 2016
To the House of Lords  
Session 2015-16  

PETITION against the  
High Speed Rail (London - West Midlands) Bill  

THE PETITION OF the Ballinger Road Residents’ Association  

Declares that:  

1. The petitioner is specially and directly adversely affected by those parts of the Bill that concern the design, construction and operation of HS2 in the South Heath area. In particular these are addressed by Clauses 1 and Schedules 1 of the Bill and associated powers in the Bill (including the power of compulsory purchase); Schedule 1 Work No. 2/14 (Railway) and 2/18C (Access Road) as detailed on Deposited Plans, AP4 PLN 2.1.1. Replacement Sheets No. 2-24 to 26.  

2. Your petitioner  

Your Petitioner is the Ballinger Road Residents’ Association (BRRA). Ballinger Road is one of the main roads through the village of South Heath. South Heath is a community of about 350 properties and 800 residents in Buckinghamshire and within the Chilterns Area of Outstanding Beauty (AONB). South Heath lies about 1.5kms east of the A413 (the main road from Amersham to Wendover) and 2kms east of Great Missenden (that requires crossing over the A413 to reach).  

BRRA was formed in 2013 by the residents of Ballinger Road to represent the interests of Ballinger Road (and its continuation onto Frith Hill SHL), both as residents and home-based businesses. Its aim is to share resources and to coordinate local activities to ensure the best possible outcomes for Ballinger Road/Frith Hill SHL in response to HS2’s plans for the area.  

BRRA is a founder member of the Residents’ Environmental Protection Association (REPA) also established in 2013. REPA is an association of individuals and local groups mainly in the South Heath area (including Hyde Heath, Hyde End, and Potter Row), working to gain more effective mitigations of HS2.  

BRRA covers Ballinger Road, a road of around 70 houses which goes through the heart of the village of South Heath. It also includes residents of Frith Hill South Heath Leg (SHL), which continues on from Ballinger Road across the cross roads with Potter Row and Kings Lane, joining Frith Hill. It is the access road for your petitioners to Great Missenden.  

HS2 passes in a bored tunnel directly under your Petitioner’s road and emerges just yards the other side in currently open fields. Your Petitioner includes members who are closest to the north portal of the Chiltern bored tunnel, as well as properties that will lose land as a result of the scheme (and be compulsorily purchased).  

Your Petitioner, despite the extension of the bored tunnel to South Heath, is hence still very much directly, specially and injuriously affected by the provisions of the Bill, in relation to which your Petitioner has already petitioned the House of Commons.  

The impacts concern noise, with 27 properties in the BRRA predicted to experience noise above the night-time peak noise LOAEL target level - some have obtained no or minimal benefit from the tunnel extension despite the increased depth of cutting; the potential for tunnel boom as the bored tunnel portal will be within earshot of members properties; property blight and the inability to move when required; access and the traffic congestion problems related to both the haul road effecting the A413, and to the fear that Frith Hill SHL will also become a rat run; a large construction compound for the portal at South Heath to the rear of some members homes; permanent changes to the landscape and footpaths in
the immediate area; pylon changes that include a much taller pylon, despite being in an AONB: an inappropriate access point for the permanent maintenance road to the portal off Frith Hill SHL; the loss of the gym which was one of two main facilities for South Heath – both now lost due to HS2; as well as the permanent loss of land to two properties.

3. Your petitioner's concerns

Your Petitioner will suffer a range of severe and adverse effects by reason of the Bill, described below, which would be addressed by extending the bored Chiltern Tunnel throughout the AONB. Failing that your Petitioner requests that the bored Tunnel is extended at minimum to Leather Lane, another mile, and away from the community of South Heath. If the Chiltern bored tunnel is not further extended then your Petitioner requests a range of further mitigations, set out below.

Construction compound:
The South Heath compound to the west of members in the BRRA will be over 500m long, will be accompanied by security, extensive construction activity (using large construction equipment), light pollution, dust and noise – all alien features to the immediate area and the AONB. It will create a scar on the landscape during the 7 year construction period and thereafter.

Your petitioner is concerned about its impact on their health and wellbeing as well as quality of life.

Road congestion
The new temporary construction road (the haul road) from the South Heath portal to the A413 and its use for mass haul as well as materials and workers is of concern. It will be the source of major delays in peak at the A413/Link Road and adjacent A413/B485 roundabouts at Great Missenden, Balingber Road/ Frith Hill SHL itself exits onto the B485 which connects to the A413 In order to reach Great Missenden, and so will be a serious problem for your petitioner. While HS2 Ltd has agreed to look at re-locating the haul road further north, subject to certain conditions, and discussions are progressing with Bucks County Council, nothing has yet been agreed.

• It is an acute problem, as HS2 Ltd now admits, because the two adjacent affected roundabouts will be well above capacity in peak, and the works will last for years, not months. Over 3km of queues are predicted in the peak based on the tailback figures provided by HS2 Ltd.
• It will make access to Great Missenden (and public transport by rail and bus, including school buses), hospitals, getting to work in Amersham and Wendover, taking and collecting children from school a chronic problem for a lengthy period (construction lasts seven years with the most congested period lasting 29 months).
• Frith Hill SHL may become a rat run as the B485 backs up as a knock-on effect from the GM Link Road roundabout.
• If HS2 Ltd agree to relocate the haul road, they may try to use Frith Hill SHL as the construction route for tunnel fit-out traffic, as they told the Select Committee. This would then also involve using the permanent access road off Frith Hill SHL into the portal site. Neither road is suited to this purpose.

Electricity pylons
The proposals for the movement of electricity pylons are objectionable because there will be increased visual obtrusiveness from a larger and higher (11m higher) electricity pylon, and another change in direction (requiring a stronger pylon). Your Petitioner suggests this is inappropriate for an AONB, especially when some other AONBs are actually having electricity supplies buried. The impacts directly affect some of your Petitioners members.
The Bill itself provides for two new pylons (rather than the SES that states only one taller pylon). HS2 Ltd have agreed that the two documents differ, and say they will only introduce two if it is necessary and the “environmental impact of the changed design did not have a significantly different impact”. Your petitioner is concerned that two taller pylons may yet be introduced despite there being no opportunity for the necessary and appropriate public consultation to have occurred (under the SES), with the decision being made wholly by HS2 Ltd. This gives your petitioner little confidence in the processes being deployed by the promoter.

Excessive noise

While your Petitioner welcomed the predicted reduction in peak noise (from the deeper cutting and barriers that accompanied the bored tunnel extension to South Heath), which is expected for BRRA members to the east of the HS2 line, there was much less gain for those members immediately to the south of the new portal, or west of the line, partly because of the additional width of the whole portal area and the poor mitigation being offered.

Peak night-time noise is expected to be an annoyance and an adverse health effect particularly to those on the north side of Ballinger Road, i.e. at Bayleys Hatch and on the Frith Hill SHL segment near to the portal and South Heath cutting, where the homes are exposed to levels of noise in excess of the night-time LAmax LOAEL (which is 60dB at the façade). Peak night-time noise is up to twice as loud as this for these properties - higher than in any other part of the South Heath or Potter Row area. Some 28 properties are affected, with the worst 11 properties experiencing predicted levels of 66dB LAmax to 70dB LAmax, and this is after mitigation.

Your Petitioner is concerned that HS2 Ltd has repeatedly failed to publish the LAmax contours (only providing those showing average noise) which has made it more difficult for those affected to be aware of the impacts. This is despite HS2 Ltd now accepting that it is the LAmax (and not average noise levels) that affects a wider geographic spread than the LOAELs on average noise.

The proposal to put the noise barriers on the top of the bunds will not only be visually less attractive, especially on the top of the horseshoe shape to the south of the portal, but also less effective than putting higher ones next to the rail line.

The Promoter has not proposed to install any noise barriers to protect the properties west of HS2, which would protect your Petitioner’s members on Frith Hill SHL section, and also protect those walking the footpaths between Potter Row and Great Missenden.

Your Petitioner understands that HS2 Ltd are not treating the area as a relatively quiet one, and has not set more demanding noise standards as would be appropriate for this part of the AONB.

Your Petitioner understands that the Promoter declines to take mitigation measures that would prevent the exposure of residents to injurious levels of noise where it is not reasonably practicable to do so. Your petitioner is concerned that the evidence used to articulate the concept of reasonable practicability for noise, is not appropriate, and so wrongly rules out suitable measures to contain noise.

Tunnel boom

There is potential for tunnel boom at the South Heath portal of the Chilterns bored tunnel. HS2 Ltd assures your Petitioner that it will not occur. However there is a real risk - and the Promoter will not give an enforceable undertaking that tunnel boom will not occur. It is of concern that the residents and not HS2 Ltd are expected to bear the risk.
Blight

Property blight has been a matter of great concern since HS2 was announced more than six years ago. With all the various changes to the HS2 scheme, nothing has happened to alter the fact that a tunnel portal remains at South Heath. In a blight study done by CBRE for HS2 Ltd, properties near to the tunnel portals were identified as suffering the worst blight. Many of your Petitioner’s members’ homes are blighted by the portal.

As construction approaches, many fear that property blight will worsen, and this will have a severe impact on your Petitioner’s members because construction is so lengthy.

In addition to the worry about being unable to move, other than by accepting a loss in value (as most members are unable to), there is concern that HS2 Ltd will now reject properties in South Heath from the ‘Need to Sell Scheme’ – on the basis that HS2 Ltd regard the traffic congestion issues not sufficient to allow properties primarily affected by this to qualify under the location criteria. This could leave our members trapped, unable to either move or qualify for compensation.

There is a concern amongst the community that where properties are bought by HS2 Ltd there is not the same pressure to ensure the appropriate mitigation is put in place.

Footpaths ruined

Footpath GM/13 will be closed for the seven year duration of the portal works, resulting in the loss of footpath access to the network of footpaths in the Chiltern Ridges. This prevents access for BRRA members who currently walk up the footpath from Great Missenden rather than use the Frith Hill SHL road to get to Ballinger Road.

Even when the footpath reopens and HS2 is operational, the footpaths from Great Missenden to the north of Frith Hill SHL will be blighted by exposure to high levels of noise, rendering them useless for pleasant recreational use – including dog walking for residents, and access to the Chiltern Ridges for visitors.

Permanent access road to the portal

Your petitioner also has concerns about the siting of the permanent access road for the South Heath portal (off Frith Hill SHL) – it is on a bend where the road narrows and poses a particular risk to children who walk and cycle to Great Missenden from South Heath and Ballinger.

If the access road is also used for an extensive period during construction (as a result of relocating the haul road) then the portal access road arrangements become wholly inappropriate.

Your Petitioner’s requested mitigation

Your Petitioner will suffer a range of severe and adverse effects by reason of the Bill, in respect of which your Petitioner requests that the bored Chiltern Tunnel is extended throughout the AONB.

Failing that, your Petitioner requests that the bored Tunnel is extended at minimum to Leather Lane, another 1.5km, and away from the communities of South Heath (that includes Potter Row), as proposed by REPA. Not only do HS2 Ltd agree that this is feasible in engineering terms, but accept it need not delay project completion. REPA contend that it is also a cost neutral solution.

If the Chiltern bored tunnel is not further extended then your Petitioner requests a range of further mitigations related to the provisions for HS2, set out below. These include binding undertakings from the Promoter.
a. To move the intersection of the haul road to a new roundabout at Leather Lane, north of the Link Road Roundabout, with slip roads for through traffic.

b. Undertake that the permanent access road for the portal (off Frith Hill SHL) is not used for construction purposes. To require the Promoter to install cameras to monitor and prevent roads being improperly used by construction workers as a rat run.

c. To move spoil along the track, temporarily storing it at Hunts Green if required, before removing it from the AONB (reducing traffic and noise at the tunnel portal).

d. Bury the power lines; failing that replace existing pylons with ones of lower visual impact and less high modern designs (eg the 'T' design), and return to the original pylon alignment (which avoids creating an additional angle that necessitates the pylon at the new angle being higher and stronger). Failing that there should be only one new pylon (not two) and it should not be nearer to the residential properties.

e. Higher noise barriers at track level on both sides (west as well as east) so that material reductions in operational noise are achieved.

f. Retained cutting to reduce noise levels at the portal and nearest to your petitioner.

g. Replace the 'Need to Sell Scheme' with a 'Right to Sell' scheme for blighted properties; failing that remove the location rule from the 'Need to Sell' scheme and recognise that South Heath is blighted for as long as the portal is located where it is.

h. Undertake to implement all necessary measures to reduce noise at properties that are predicted to suffer levels above the LOAEL for night-time peak noise – this should include reducing train speeds.

i. Undertake to eliminate tunnel boom should it arise.

4. The prayer

The Petitioner therefore asks the House of Lords that he, or someone representing him in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Signature: 

Peter Jones

Chairman of Ballinger Road Residents Association (and Roll B agent)

Date: 16th April 2016
To the House of Lords
Session 2015-16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Mr and Mrs Denson

Declares that:

1. Your petitioners are specially and directly adversely affected by the whole Bill.

2. Your Petitioners

Your Petitioners own a property in the village of Great Missenden and have lived in the area for over 13 years.

Your Petitioners concerns

3. Your Petitioners chose to move from London to Great Missenden because of the special character of the AONB and the quality of life and well being they believe living in the area brings to their family life.

Your Petitioners have two children attending local schools, one inside and one outside the village of Great Missenden.

Your Petitioners paid a premium to live in an area due to its protection.

Your Petitioners can see Stockings Wood from the road that their property is situated on and the area of land that HS2 would like to use as a temporary haulage route/construction area. During Winter the view extends to the line. Your Petitioners see the view as a visual amenity, the view adds to the character of their road. Their road leads to the village of Prestwood in one direction or down through the village of Great Missenden to the Link road roundabout on the A413. The road is already busy during rush hour or at any time when issues arise on the A413.

Your Petitioners are concerned about the build up of traffic on their road and in front of their property. If traffic is solid then the air quality can be poor, this is very noticeable when walking.

Great Missenden village sits at the heart of the Chilterns AONB and is a gateway village to that AONB.

When driving out of London and beyond Amersham, you notice the dramatic change in landscape. As you drive towards Great Missenden, the landscape opens up to beautiful rural views. Your Petitioners value this sense of freedom and the beauty of the landscape.

The Department for Transport admit that Buckinghamshire will see NO benefits from HS2. This means that Great Missenden, a village within the Chilterns AONB, will see NO benefit from HS2.

Why would the Promoter thinks it is a benefit to pile yet more misery onto a village whose businesses struggle with footfall at the best of times. The latest proposals (HS2 emerging above the village from a tunnel portal and so called temporary haulage road) will only help to drive footfall away from the village of Great Missenden. Local services/shops/businesses work hard to survive, as is common to many rural areas. AP4 puts more pressure on local businesses and could undermine their sustainability.

Tourism, another economic driver for Great Missenden, will be negatively impacted by HS2 and the new provision.
The author Roald Dahl lived in Great Missenden village and wrote many stories set in the local landscape, Fantastic Mr Fox is one example. Tourists visiting the Roald Dahl museum in Great Missenden are encouraged to take interactive walking tours to extend their museum experience and understand the outstanding landscape which helped to inspire Roald Dahl and in turn helps to bring his characters to life even more.

Your Petitioners believe the impacts that AP4 will have on Great Missenden are very real and have not been properly considered by the Promoter.

Your Petitioners will suffer a range of severe and adverse effects by reason of the Bill, in respect of which your Petitioners have requested (and continue to request) that the presently proposed fully bored Chiltern Tunnel is extended throughout the entirety of the AONB.

Your Petitioners were denied the right to petition against AP4. Bucks County Council and HS2 Ltd are apparently in talks about relocating the haulage road further north from the Great Missenden/Link Road roundabout. Your Petitioners are unaware if an actual decision/plan has been made and are concerned that if the Bill is passed into law HS2 Ltd will not move the haulage road.

Traffic

4. Your Petitioners are even more concerned about additional congestion during HS2 construction now that the Chiltern north portal location has been moved nearer to the village of Great Missenden.

HS2/The Department For Transport took the decision (despite strong opposition) to chose a route which will mean the construction of a brand new major transport corridor in the middle of the Chilterns AONB. Unlike HS1, HS2 will not run alongside an existing motorway.

HS2 problems along the A413 are well known to the Promoter and when the HS2 Select Committee sat there came a point where they asked petitioners not to mention it anymore. The HS2 Select Committee may have become fed up of listening to complaints regarding the A413 but they did not come up with a suitable solution and this major traffic issue remains unresolved.

AP4 will make problems worse for Great Missenden.

The village of Great Missenden has an old, narrow high street, with very narrow pavements. The narrow pavements are used by hundreds of school children everyday, both on their way to local schools and visiting places such as the Roald Dahl museum, a popular tourist attraction.

Using the A413/Link road roundabout to facilitate a haulage road will have a significant impact on traffic trying to navigate local roads and would increase the use of Great Missenden village roads as rat runs. This traffic increase would grow the safety risk to pedestrians and motorists and would cause years of misery for residents as their own journeys would be made more difficult. **Remedy: Extend Chiltern AONB tunnel and remove spoil through tunnel. At the very least move temporary haulage road to location away from Great Missenden Village. If plan remains construction vehicles should not be allowed to use local roads or the proposed haulage road during busy times i.e. morning/afternoon peak congestion times. The Promoter should be asked to look at new time schedules for local build if construction vehicle access time restricted.**

Construction noise, dust, pollution

5. The new location of the Chilterns north portal, the so called temporary haulage road to Link road roundabout, and material stockpiles would mean a significant rise in the number of HGV vehicles using local roads in and around Great Missenden. This would increase traffic noise, dust and pollution.

There are three schools located within the village of Great Missenden. Two of the schools, both junior, are located just beyond the A413 and the proposed new haulage road/construction site/associated paraphernalia. The site proposed by HS2 Ltd for the haulage road is a steep hill, dust would easily travel from top/slope of the hill across to the schools and outside play areas currently enjoyed by children and families. Your Petitioners believe that HS2 Ltd have underestimated the significant impact the noise and dust from the proposed new location of the haulage road/construction site for the north portal would
have on the rural village of Great Missenden as a whole.

**Remedy:** Tunnel extension throughout the Chilterns AONB. Or at the very least move the north portal haulage road/construction site beyond the village of Great Missenden.

**Temporary construction road**

6. As already noted in this Petition the outcome of the location of the so called temporary construction road is not clear.

Your Petitioners are concerned that the new so called ‘temporary’ construction/haulage road from the Chilterns north portal would significantly add to traffic on the already congested A413, which HS2 accepts is a major adverse effect. The huge percentage increase in HGV vehicles using the A413/Link road roundabout is very worrying news for your Petitioners.

Your Petitioners do not believe that HS2 ltd and the Parliamentary select committee have resolved the issues regarding the A413 traffic flows and do not believe that the problems should be dumped on Bucks County Council. AP4 will worsen problems for Great Missenden.

As Bucks residents your Petitioners feel an unfair burden has been placed on Bucks County Council and that lack of resources to look at alternative suggestions for the temporary road above Great Missenden village may lead to unacceptable outcomes and a further financial burden on local communities.

Taking account of the AONB protection that is afforded to Great Missenden, alternatives to the north portal and the haul road should be set out by HS2 ltd showing ways to address the sustainability concerns of the village of Great Missenden and its associated businesses. Failing to set out alternatives is surely a failure to adhere to mitigation hierarchy. Great Missenden residents legitimate concerns should be recognised by the Promoter.

Throughout the HS2 process HS2 ltd have shown a lack of understanding of the local environment. At the HS2 ltd roadshow, held in October 2015, in Ballinger Hall, HS2 ltd chose not to display any maps that showed the full area of land from the north portal down to the A413/Link road roundabout. Great Missenden village was cut off of the maps displayed. When asked why HS2 ltd could not give a reason for this decision.

The promoter describes the construction road as temporary, but this timescale refers to the scheme, not a persons life time. Eight - Ten years could mean a child lives with the so called ‘temporary’ construction road for his/her whole junior school experience. Dumping a construction site in the middle of an AONB, above Great Missenden village and bringing construction vehicles so close to the village’s main junction and its schools is wholly unacceptable.

As already mentioned the open fields and woodland above the A413/Link road roundabout are an important visual amenity for the village of Great Missenden. The area of land can be seen at different view points around the hilly village. The long term use of that land, described as temporary by HS2 ltd, for construction purposes, would give the area an urbanised look, this would change the character of the area significantly.

The said area of land contains several footpaths used by myself and other walkers coming from/to Great Missenden village. During construction and operation walkers are less likely to want to walk these routes and may choose to go elsewhere leading to a decline in tourism.

Your Petitioners believe that proper, independent evaluation is needed to look at the potential value of the the Chilterns AONB as a National asset, and for the local village of Great Missenden that has been, and is, defined by its beautiful surroundings.

A clear plan should be set out for the haulage road location before the Bill is passed into law.

**Remedy:** Tunnel extension throughout the Chilterns AONB. At the very least move the construction/haulage route away from Great Missenden village.
Light pollution

7. Your Petitioners are concerned about the effects of light pollution on the AONB and the village of Great Missenden. Construction would continue during the evening and potentially through the night. A huge construction site lit at night is alien to the landscape and the constant light would mean no respite from the busy building site. As the area of land where HS2 ltd plan to site the haulage road is visible from the village activity at night would be visible.

Remedy: Tunnel extension throughout the Chilterns AONB. At the very least a tunnel extension to beyond Great Missenden. Works to be carried out in daylight hours only.

Health & wellbeing

8. Since the announcement of HS2 and the preferred route, the local community have been put under a large grey cloud. Your Petitioners feel that locally the sense of freedom has diminished. The threat of HS2 and the unknown impacts construction & operation might bring to the area is extremely stressful. Great Missenden has a reputation as an area blighted by HS2. The threat of urbanisation being forced on to the landscape and the impending threat of chaos on the local roads plays significantly on ones mind.

Remedy: Tunnel extension throughout the Chilterns AONB and spoil to be taken through the tunnel.

The Chilterns AONB

9. I believe approximately 8.8km of the Chilterns AONB remains unprotected.

Your Petitioners are confused, HS2 ltd have seemingly used a narrow range of attributes to assign a ‘value’ to parts of the AONB. Using their own set of guidelines the Promoter has seemingly been able to use benefit calculations based on travel time reduction from a transport project to override the protection of the AONB.

Your Petitioners are concerned that great weight has not been given to the protection of the AONB.

Your Petitioners would like more information on how HS2 ltd have quantified the value of protecting the AONB compared to building a new rail line through it. For example, what would the future value of the AONB be without HS2, when looking at a national strategy for conserving the environment? Transport should not be looked at separately from the environment and pushed forward using the weight of lobbyists and PR campaigns.

Your Petitioners object to the recent additional change of the new, more visually intrusive pylon above the village of Great Missenden. The new pylon height further highlights how HS2 ltd are failing to find opportunities to enhance the AONB which could be, for example, burying power cables, and that the views of the residents of Great Missenden are being overlooked.

Your Petitioners are concerned about visual impacts of noise barriers to be placed on top of the north portal cutting (this may have been changed).

Biodiversity loss to the AONB should be mitigated/compensated for within the AONB, locally. Your Petitioners feel that there should be a no net biodiversity loss commitment for within the AONB. HS2 ltd should not be allowed to look at enhancements outside of the AONB as contributing to losses within the AONB.

Your petitioners are concerned about the loss of visual amenity if the fields above the village of Great Missenden village are used for construction purposes. The Promoter plans to use the land for a so called temporary haulage road, the relocation of two material stockpiles, a balancing pond and satellite compound. I believe the Promoters plans require 10.6 ha of additional land for the construction of the new portal access road. The devastation planned for this area of land will look horrendous and totally out of character to the surrounding AONB. These changes would affect Great Missenden village residents and visitors.
There are wider concerns for the effects on the Chilterns AONB by allowing the nibbling away of our nationally protected landscapes, and ignoring alternatives.

Your Petitioners are concerned about the permanent scar on the landscape from the construction of the HS2 line and feel that whilst the protection of some of the AONB is welcome, AP4 falls short in terms of the sustainability aspirations of the project and that full protection should be afforded to the remaining 8.8km.

The Government may decide that the expense of HS2 is to be seen, in the grand scale of things, as necessary for the nation, your Petitioners believe that if the AONB is not fully tunneled that the scale would be unbalanced, contemporary infrastructure should not be built at the expense of our environment.

HS2 Ltd don't appear to have evaluated the AONB as a sum of all of its parts. Your Petitioners would like to be given a breakdown of how the value of the AONB has been quantified and why 8.8km of the AONB is currently being seen as less valuable.

Your Petitioners do not understand how the Business Case can be used to justify HS2 Ltd's decision that there is no Business Case for a tunnel extension when on the one hand representatives such as Lord Adonis appear to say the Business Case is not to be relied on (not a quote).

**Remedy:** Tunnel extension throughout the Chilterns AONB, bury power lines to enhance AONB; or retain original alignment of pylons with less obtrusive style of pylon; more consideration to be given to footpaths leading to and from Great Missenden to maintain links to Potter Row; all buildings designed to fit locality and the planning constraints of the AONB, adequate landscaping to mask sight of vent shaft buildings and catenary masts and placement of the high security fence within the cutting and NOT at the top of the cutting. Further independent analysis required as to the proper evaluation of the protection of the AONB. Greater consideration should be given to the real impacts on Great Missenden.

**Impact of wider cuttings towards Leather Lane**

10. Your Petitioners are concerned that the wider, deeper cutting proposed in AP4 will have a more significant impact on the surrounding area, including Great Missenden. Your Petitioners are also concerned that additional land will be taken, as a result of the changes, from the scheduled monument Grims Ditch. The new changes will mean the bridges over the line will be higher. More earth will be excavated and transported away by road. Noise barriers on top of the cutting could add to visual blight.

**Remedy:** Tunnel extension throughout the Chilterns AONB, or at minimum to Leather Lane.

**Crime**

11. With works now focused near to the village of Great Missenden your Petitioners are concerned about the added potential for an escalation of crime in the area.

**Remedy:** Move HS2 away from Great Missenden village with tunnel extension, at the very least move the haulage road away from Great Missenden.

**Woodland**

12. Jenkins Wood and Stockings Wood (ancient woodlands) will suffer during construction and operation. An increase in land take will lessen habitat area between the two woods. Animals that move between these woods, and others would be impacted. The disturbance of construction on these two woods should be further considered. Stockings wood is an important part of the landscape and is one of the first woods reached when walking from Great Missenden. There are more small woodlands that will suffer severance.

**Remedy:** Avoid woodland by tunnel extension throughout the Chilterns AONB, or at minimum extend beyond Great Missenden. More consideration should be taken to maintain possible wildlife links between woodlands.

**Primary Mitigation**

13. Accordingly, your Petitioners objects to the Additional Provision October 2015 (and associated works) and the clauses in the Bill that empower the additional works involved, and humbly requests your
honourable House modify the Bill, and/or require undertakings of the Promoter, to remove these adverse effects, primarily through a fully bored tunnel throughout the AONB.

In the alternative to the extension of the fully bored Chiltern Tunnel throughout the AONB, which is the primary alteration to the Bill your Petitioner seeks, your Petitioners requests that the fully bored Chiltern Tunnel is extended north of Great Missenden, as it will address more, but not all, of the above concerns.

Conclusion

14. Your Petitioners ask that the Lords keep an open mind with regards a further Chiltern tunnel extension and that a visit is made to the village of Great Missenden so that they can be better informed during their decision making process.

Your Petitioners supports the petitions for a longer fully bored Chiltern Tunnel that extends throughout the AONB, in accordance with proposals such as Tunnel Bored One Way from the South. As a minimum, your Petitioner supports the Residents’ Environmental Protection Association (REPA) petition for a short (1.5km) tunnel extension to Leather Lane.

Your Petitioners acknowledge that the petitioning process has been overwhelming. The Promoter has large resources to work with and as the name suggests is concerned with the progression of the project. Your Petitioners are aware of residents in Great Missenden and Prestwood that are very concerned about HS2 but, due to working commitments and time constraints or reasons such as lack of confidence to appear in front of the committee, and for that matter cost of appearing, have chosen not to petition.

For the foregoing and connected reasons your Petitioners respectfully requests that unless the Bill is amended as proposed above, or suitable undertakings obtained from the Promoter, the Bill, along with accompanying Schedules, so far affecting your Petitioner be not be allowed to pass into law.

The prayer

15. The petitioner therefore asks the House of Lords that the petitioner, or someone representing the petitioner in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

M. N. Denson

Mr and Mrs Denson

15. 04. 2016

Mr and Mrs Denson
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF CALVERT GREEN PARISH COUNCIL

Declares that:

1. The petitioner is specially and directly adversely affected by the whole Bill.

2. Your petitioner

The petitioner is Calvert Green Parish Council. The Bill would authorise the compulsory acquisition of land belonging to your petitioner’s parishioners, to which your petitioner objects. Furthermore, part of the area for which your petitioner is a local authority will be injuriously affected by the provisions of the Bill, and your petitioners accordingly object thereto for reasons, amongst others, hereinafter appearing.

Your petitioners’ Parish of Calvert Green in North Buckinghamshire, part of CF13, is located in a quiet rural setting. It is a civil parish in Aylesbury Vale and was created in 2003 from parts of Charndon and Steeple Claydon civil parishes. Parish boundaries for the parishes of Calvert Green, Charndon and Steeple Claydon now meet at Brackley Lane in Calvert, around 117 metres from the proposed HS2 line.

Almost all of your petitioners’ parishioners live in the village of Calvert Green, built in the early 21st Century on the former London Brickworks in Calvert. Calvert Green Parish comprises of just over 400 domestic dwellings, a farm and operational landfill facility, managed by FCC Environmental Ltd (FCCL). The parish boundary borders and crosses the proposed HS2 route and all dwellings in your petitioners’ parish are within a mile of the proposed HS2 line. Many dwellings are in extremely close proximity, from just 130 metres away.

Your petitioners’ parish also includes Sheephose Wood (SSSI), a large, well-structured block of ancient pedunculate oak woodland carrying a wide range of stand types, some of which are relatively uncommon in the region. The site has a characteristically diverse woodland flora, a typical range of breeding birds and is of particular interest for its invertebrate fauna which includes notable and local species. Land-take from this rare ancient woodland by HS2 is identified in the HS2 Environmental Statement.

Your petitioners’ parish also abuts Decoypond wood, an ancient woodland and Calvert Railway Station, a local wildlife site (LWS) with wet grassland habitat that is now home to many amphibians including the common lizard, diverse butterflies including marbled white, common blue and meadow brown, and many dragonflies. Both sites will also be significantly adversely affected by HS2 Plans.
Some 200 metres to the north of your petitioners' parish is Calvert Jubilee nature reserve, with its abundance of flora and fauna, and home to some of the very rarest species in the UK, whose outlook is bleak as the proposed high speed line will be cutting across its eastern side, with the proposed major HS2 Infrastructure Maintenance Depot (IMD) running along its north eastern edge. This tranquil Buckinghamshire reserve is a delightful place to watch wintering wildfowl such as mallard, tufted duck and pochard.

3. Your petitioner’s concerns

Residential Blight and Environmental Destruction
As outlined in our introduction, Calvert Green is fortunate to have an LWS on its doorstep, adjacent to newly identified ancient woodland. Unfortunately, this is the location chosen by the promoter as an appropriate site for: an eight-year satellite construction depot, a construction materials stockpile and a permanent waste transfer rail siding and associated HGV overbridge and access routes.

We have previously presented to the House of Commons High Speed Rail Select Committee (HoCSC) our solution for saving this valuable environmental asset and protecting the health and sanity of residents. We are informed that East/West Rail (EWR) will not now be constructed separately but under the aegis of HS2. This significantly advances our recommendations. We are concerned that there has been no joint environmental survey and to date the promised joint report has yet to be published. From the very outset of this project, we have raised concerns on the cumulative impact of the many proposals.

Rather than having separate satellite compounds and materials stockpiles, we require that the EWR depot area is utilised by both projects. This location is equidistant between the two bridges it is required to construct, adjacent to the HS2 trace and alongside the IMD railhead. The promoter agreed to investigate this possibility but there is no acknowledgment to us that this has been considered. An added benefit to sharing infrastructure in this way could lead to a dramatic reduction in construction traffic through the village. By this single action, noise would reduce, pollution would reduce, our LWS and ancient woodland would remain undisturbed and residents could retain a part of their way of life.

The promoter conducted baseline noise assessment readings in Calvert which were later acknowledged by the Promoter to be flawed. This error on the promoter's part led to incorrect information which had a knock-on impact with serious implications for residents of Calvert. It is our assertion that had the correct information been available, Calvert would not have been selected as a location for the waste transfer sidings.

The promoter is now pursuing the preferred relocation of this malodorous waste transfer rail siding and associated infrastructure to the south of Calvert through a TWAO. However, our concern is that AP4 is still written into the hybrid bill and should the TWAO be delayed, the fallback position is still covered within AP4. Should this be the case, the blight to Calvert will be all consuming. We require the southern siding location to be written into the bill.
Environmental Mitigation

Based on the assertion above, we require that a new baseline noise assessment is undertaken in Calvert which reflects the correct baseline noise for all HS2 calculations.

Although faced with the aforementioned HS2-imposed industrialisation, it has been confirmed that industrial noise is covered by BS4142:2014 which is very different to passing train noise in the way it is assessed. We understand that the AP4 cumulative noise figures don't conform to BS4142:2014. The promoter should have also have taken into account noise mitigation to the highest window of an affected dwelling; contrary to the promoter's current practice.

Your petitioner requests accurate noise calculations which represent the full cumulative impact to our community.

Our parish sits on heavy Oxford clay. Your petitioner is deeply concerned that the specific impacts of ground borne noise and vibration have not been properly considered and no amelioration measures have been suggested to deal with this problem. This is particularly pertinent in the light of the recent report on Rayleigh waves. Your petitioner is disappointed that the promoter discounted the evidential concerns we raised during the HS2 community forum meetings on this issue.

The issue of Rayleigh waves also raises anxiety about the type of track bed to be used: ballast or concrete slab. There are enormous noise and environmental implications if a slab is used.

Your Petitioner requests that a vibration assessment for Calvert be carried out as per commitment by the promoter during a site visit on 28th April 2013.

The promoter has acknowledged that no mitigation is planned for the south side of the IMD and railhead which leaves parishioners with no protection; separated by the open water of the Calvert Jubilee Nature Reserve. This reserve is a very important site for rare birds, plants and insects. The overall impact of situating the 24-hour operational IMD and railhead adjacent to this special reserve creates a level of light pollution detrimental to breeding patterns. The Campaign to Protect Rural England (CPRE) identifies our area as benefiting from one of Britain’s darkest skies.

Your Petitioner wishes to Petition that the promoter provides the maximum mitigation to the entire IMD site, and does not exclude that part of its site backing on to the Jubilee Nature Reserve, Jubilee Lake and thence to Calvert.

The location of the proposed pumping station in Calvert is currently hidden behind a copse of mature trees. The promoter intends felling these trees to provide a permanent service track to the pumping station resulting in an open corridor overlooking the railway. Consequently, residents will lose the pleasure of the view and the screening they offer. There is an alternative access to the pumping station, admitted by the promoter at the HoCSC but which so far they have failed to pursue.

We require that the promoter uses an existing, less intrusive access to this pumping station.
Code of Construction Practice (CoCP)

Your petitioner is aware of ongoing discussions between the Promoter and our local authorities. We require the final CoCP to be rigorously monitored and enforced with appropriate funding for the local authority. Without such local authority funding, the CoCP would be flouted.

Compensation

The HoCSC recommended: “amendments to the operation of the discretionary compensation schemes, with a view toward greater fairness and a more functional property market in areas near to the proposed line”. In the promoter’s response, only the Need to Sell scheme was referenced. However, the levels of compensation on offer through the Homeowner Payment Scheme are inadequate for the suffering our parishioners will be subjected to. We request that this scheme be included for improvement as well.

Note:

We support the petitions of Charndon Parish Council, Steeple Claydon Parish Council, Twyford Parish Council, Aylesbury Vale District Council and Buckinghamshire County Council who are all petitioning for the best mitigation for our scattered communities.

4. The prayer

The petitioner therefore asks the House of Lords that Calvert Green Parish Council, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioner remains, etc.

Signed

PHILIP LESLIE JOHN GASKIN (AGENT)

On behalf of Calvert Green Parish Council

14th April 2016
To the House of Lords  
Session 2015-16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF Robert Dixon and Sara Dixon  

Declares that:  

The petitioners are specially and directly adversely affected by the whole Bill.  

The petitioners are Robert and Sara Dixon (‘the Dixons’) of ‘Balquhidder’, London Road, Wendover in Buckinghamshire (‘Their Home’). Their Home abuts the A413, the main construction route as it passes between Amersham to the South and Wendover to the North with the nearest part of the A413 being 20 metres away from their dwelling. At the nearest point, Their Home is approximately 350m metres from the centre of the proposed railway line, as it passes in front of their property, on the far side of the A413, on an embankment, on a bridge (across Rocky Lane) and on a viaduct (across the A413 itself).  

Sara Dixon has appeared in front of the Select Committee during its passage through the House of Commons, and the Dixons have participated in meetings with representatives of HS2 and the Highways Authority/Buckinghamshire County Council.  

Your petitioners’ concerns  

The Dixons and Their Home are impacted by:  

1. The proximity of the construction route. The Dixons would like to see the Bill provide compensation based on the nuisance/impact caused by the increased volume of traffic, and associated works, on the A413 whilst it is used as a construction route, and not just on the nuisance/impact caused by the operation of the railway line post-construction. The current Compensation Scheme provides remedy based on distance from the railway line only. The Dixons will be impacted adversely during the construction period – whether the railway is to be built above ground or underground via a tunnel.  

2. The proximity of the railway line. The Dixons would like to see the Bill provide compensation based on actual loss, rather than measurement of loss based on an arbitrary distance from the railway line. The Dixons would like to see Their Home treated, along with others in the same postcode, as a special case which
enables them to be brought within the Express Purchase Scheme.

3. The current compensation scheme provides for the Dixons to prove a Need To Sell. The Dixons would like to see the removal of the requirement to prove Need.

4. Given the problems which will be faced by the Dixons in the enjoyment of Their Home as a result of the impact of the construction process, leading to the effective ‘cutting off’ of Their Home from access to the basic services (such as shops, medical support, train stations) normally available to residents in the area, the Dixons would like to see Their Home, and others in the same postcode, declared a Severance Community and support provided to enable them to access such services.

5. The Dixons would like the railway line to be placed in a tunnel as it passes Their Home; preferably the “Long Tunnel” (under the entire area of the Chilterns AONB) but, failing that, the “Short Tunnel” (from Wendover to Great Missenden). A tunnel, whilst not solving the problems they will face during the construction period, will at least minimise the impact once the railway line is operative.

The prayer

The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

...........................................................

Robert Dixon
Dated: 17 April 2016

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Sara Dixon
Dated: 17 April 2016