To the House of Lords  
Session 2015–16  

PETITION against  

The High Speed Rail (London–West Midlands) Bill  

THE PETITION OF Dr James Conboy  

Declares that:  

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

2. Your Petitioner  
   The petitioner is Dr James Conboy, who resides in Chesham, surrounded by the Chilterns Area of Outstanding Natural Beauty  

General Concerns  

3. Your Petitioner doubts that the current route through the Chilterns Area of Outstanding Natural Beauty would have been selected had a Strategic Environmental Assessment been conducted, since the obvious difficulties now encountered in constructing a line through this area would have been made apparent. No comparison of the AONB route with other alternatives has been attempted in the Environmental Statement, as is required by the Countryside and Rights of Way (CROW) Act 2000.  

4. As a resident of the AONB your Petitioner has identified several specific grievances which are set out below. This list is by no means exhaustive, and due to the inadequacy of the Environmental Statements prepared by HS2, it is inevitable that the construction of HS2 will disrupt the lives of residents in the AONB in ways which have not yet been identified or considered.  

Preservation of the Chiltern Area of Outstanding Natural Beauty  

5. The proposed route for HS2 bisects the Chilterns AONB at its widest point, with less than half the route being in bored tunnel. Between South Heath and Wendover 40% of the Proposed Route is on the surface including sections in shallow cuttings, on two 500m long viaducts and on embankments.  

6. 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 attract over 50 million visits per year - many from London residents,  
   - have severe adverse effects on the social, environmental and economic cohesion of the area during and for a period after its construction,
• permanently and seriously impair the Petitioner's ability to enjoy the natural benefits of this AONB.

7. Your petitioner understands that the Landscape value of this area is of the order of £350million to £500million\(^1\). The loss sustained by this national asset as a result of the construction of HS2 through it will be enormous.

8. Your Petitioner requests that the AONB be protected from the effects of this grave and destructive planning error by directing HS2 Ltd to ensure that the line passes through the AONB in a bored tunnel, this having been accepted by HS2 Ltd in the Environmental Statement as both feasible and environmentally preferable.

**Water Supply**

9. Your Petitioner notes that the Environmental Statement does not rule out the possibility of contamination to his water supply as a result of tunnelling in the Chilterns. Your Petitioner would draw your attention to the possibility that a longer tunnel could be realigned to avoid the aquifer under the Lower Misbourne Valley, so reducing the risk to the water supply which serves this area and much of NW London.

**Construction Traffic**

10. Your Petitioner is gravely concerned about the inadequacy of measures proposed to mitigate the effects of construction traffic throughout the AONB, and in the Misbourne Valley in particular. Your Petitioner has identified three aspects to the problems caused by construction traffic -

- The direct impact of construction traffic, causing congestion on construction routes, and physical damage to unsuitable or inadequate roads.
- Indirect effects caused by non-construction traffic seeking to avoid congestion on the construction traffic routes by using other less suitable roads. The routes chosen by displaced traffic cannot be directly controlled by HS2's planners or the principal undertaker.
- Cumulative effects of the previous items on the communities near the route, which include reduced access to the emergency services, increased journey times, reduced access to local recreational facilities, reductions in community activities and decline in local businesses

11. Your Petitioner notes that the projected traffic on the narrower sections of the A413 will exceed 100% of road capacity during peak hours\(^2\), defined as the situation when the hourly traffic demand exceeds the maximum sustainable hourly throughput of the link. Traffic will back up on either side of these congested sections, causing congestion on the A413 throughout the AONB, and traffic displacement onto the small number of local alternative routes.

\(^1\) "High Speed Rail in the Chilterns - Little Missenden to Wendover" Report by Chiltern Conservation Board and Peter Brett Associates, Oct 2014

\(^2\) As calculated according to the DfT "Design Manual for Roads and Bridges TA46/97; see the Chesham Society ES response - http://www.hs2amersham.org.uk/Resources/ES/Chesham/CheshamSoc_ES_2.3.pdf
12. Your Petitioner regularly drives through the AONB to access his place of employment, shops and recreational facilities, and so will be directly impacted by traffic congestion throughout the area (and on the A413 in particular) for the duration of the construction works. Your Petitioner regularly uses the network of Lanes in the AONB for recreation, and regards these as a characteristic feature of the area which should be protected in accordance with the CROW Act (2000). Many of these cross the proposed route and will be diverted or interrupted during construction.

13. Many footpaths and bridleways in the Misbourne valley will be stopped up or diverted, some permanently so. The destruction of the existing pattern of PROWs in the AONB will severely reduce its attractiveness to walkers, runners, cyclists and horse riders (four groups who received little or no consideration in the ES).

14. As a resident of an area in the vicinity of the construction zone, your Petitioner is also concerned that traffic seeking to avoid congestion will place a further burden on the roads in his community, which are already operating at or close to capacity, and so further aggravate the impact on his freedom of movement.

15. Your Petitioner considers the proposed Car Share scheme to be totally inadequate. They request that the nominated undertaker be required to mitigate the many remaining nuisances, by amending the Code of Construction Practice, firstly by deleting all occurrences of the phrase “where (reasonably) practical”, and secondly to provide funding which will enable Local Authorities to strictly enforce the following measures –

- Restricting HGV movements to the period 09:30 - 15:30 throughout the AONB, and prohibiting HGV Movements along school routes for 30 minutes before and after the start and end of the school day (during term time).
- Operating a 'Park and Ride' scheme to transport construction workers along the trace, from car parks outside the AONB, and enforcing this by not providing parking for contractors on or near the construction compounds.

Health and Welfare

16. Your Petitioner is gravely concerned that the emergency services will be unable to provide timely support to his family and property due to road congestion during the construction period, and would remind the committee that the A413 and A4010 carry ambulances to the local A&E department at Stoke Mandeville, as well as all HS2 traffic to and from the AONB.

17. Your Petitioner requests that HS2 Ltd provide an air ambulance with crew on standby during working hours, to ensure that medical emergencies receive a prompt response. The committee might also consider that with large construction sites operating in the area, it would be criminally irresponsible not to be prepared for any industrial accidents.

Environment

18. Your Petitioner makes extensive use of the recreational facilities afforded by the AONB, and strongly objects to the following impacts of the project –
• Diversions of public rights of way, and reinstatement of some PROWs to run alongside the line – with consequent noise impacts on users.

• Destruction of woodland and in particular of Ancient Woodland (Jones Hill Wood). Ancient Woodland represents an irreplaceable resource (as stated by HS2 Ltd); there is no evidence suggesting that translocation is possible.

• Adverse effects on the ecology of the AONB, in particular on the bat and owl populations, which are particularly at risk from collisions with trains.

• The use of a (temporary) ‘sustainable placement’ in the AONB (at Hunts Green) which your Petitioner regards as a contravention of the CROW(2000) Act. This large scale redesign of the landscape is incompatible with its status as an Area of Outstanding Natural Beauty.

• Direct effects of construction – noise, dust and mud on roadways – which will discourage recreational use of the AONB.

• Continuing audible and visual intrusion of the railway in operation. No mitigation has been proposed to address the impact on walkers, runners, cyclists or horse riders, and their needs are hardly mentioned in the ES (Vol2) reports covering the AONB (parts 7 to 10).

19. The only practicable mitigation for all these impacts is the full tunnel as requested above.

20. 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 J E CONBOY

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

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

THE PETITION OF Twyford Parochial Church Council

Declares that:

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

2. The petitioner is the Parochial Church Council (PCC) of the parish of Twyford in Buckinghamshire. The parish of Twyford includes the adjacent villages of Poundon and Charndon. The members of the Parochial Church Council are elected annually by those on the Church Electoral Roll. The members are all volunteers and their duties are defined by two Acts of Parliament. The Parochial Church Council is responsible for fundraising, the financial affairs of the church and the care and maintenance of the church fabric and its contents.

Twyford Parochial Church Council (the “Petitioner”) is petitioning on behalf of the Grade I listed Church of the Assumption of the Blessed Virgin Mary, Twyford (the “Property”). Twyford village is situated in open countryside between the towns of Bicester and Buckingham. The village has little through traffic and low ambient noise. The Property is situated at the end of Church Street, which is a cul de sac. The Property is of significant historic importance dating back to before the year 1200. Due to the Property’s age it is without foundations. This Property and associated land will be injuriously affected by the provisions of the Bill. The Property is identified in the Environmental Statement that accompanies the Bill (“the ES”) as being permanently affected by the operation of Phase One of HS2.

Your Petitioner’s rights, interests and property will be injuriously affected by the provisions of the Bill, and your Petitioner accordingly objects thereto for the reasons, amongst others, hereinafter appearing.

3. Your Petitioner is petitioning against the Bill to design, build and operate a high speed railway line for two reasons:

   * Increase in the levels of sound pollution
   * Disruption caused by construction

First Petition - Increase in sound pollution

The proposed HS2 railway line will be situated approximately 300 metres from the Property. According to the published results of the baseline sound survey carried out in September 2012 and using the data from Appendix SV-004-013, at noise receptor ID 288518 daytime noise level from the railway will increase by 3dB. This shows
readings of approximately 50dB for the daytime. It is further recorded that this will have an adverse effect.

The World Health Organisation (WHO) regards 50dB day time noise level as the level that should not be exceeded to protect the majority of people from being moderately annoyed during the daytime. It also says that to protect the majority of people from being seriously annoyed, the day time level should not exceed 55dB.

The WHO says that most countries in Europe have adopted 40dB as the maximum allowable for new developments whenever feasible.

The increase in noise will have detrimental effect to the congregation attendance of the Property and its physical structure due to vibration.

**Second Petition - Disruption caused by construction**

The notable disruption that will be caused to the road network by construction traffic is of major concern. If existing roads are closed and diversions implemented, parishioners from the villages of Charndon and Poundon may consider attending other churches thus affecting congregation numbers and church income. This could potentially affect the long-term sustainability of the church and mean possible closure which would be devastating for the community.

Your Petitioner respectfully suggests that the following remedies are implemented to alleviate the proposed high levels of noise, construction disruption and subsequent blight as follows. These measures taken as a package would improve the outcome for the Property from the proposed Bill.

Move the line further away from the village of Twyford to the north. There is sufficient open farm land to allow such a diversion of the proposed route.

Construction of a ‘green tunnel’ as the railway passes the village of Twyford, as an alternative to the proposed bund (which appears to offer little mitigation as currently proposed)

Bring forward the timetable for the planting of any trees for screening (as included in the proposed scheme) so as to improve the chances of more effective noise and visual mitigation.

Reduce the speed of the trains as they pass the village. Speed reduction will not only significantly reduce the noise but also allow greater route flexibility to avoid village blight.

Increase the height of the bund to above the pantograph level. Although this will inevitably reduce the overall noise levels, your Petitioner notes that the level of the bund is not stated in the Environment Statement but it is assumed to be the same level as the sound wall at five metres above track level.

Lower the track level. If the track level is lowered, and assuming that the bund is maintained at its proposed height, it will reach nearer to the pantograph level and hence be more effective at reducing noise.
Very high noise levels from the operation of HS2 are predicted for the residential properties in Twyford after the mitigation currently proposed by the Promoter. The Promoter or the Nominated Undertaker should, at a very early stage, seek to agree a specification for further, more effective mitigation against the noise impacts. The properties in Twyford are predicted to experience in-combination effects of significant visual and noise effects which, it is stated in the Environmental Statement, would have a major adverse effect. Current proposed mitigation of earthworks and noise barriers is not sufficient. The Promoter should undertake further mitigation in the form increasing the height of the bund to above the pantograph level to reduce the overall noise levels (as mentioned in point 11). This would be consistent with numerous Government statements of intent to minimize impact on communities and the environment. Your Petitioner proposes to your honourable House that the Promoter should be required to undertake that it will seek to agree with your Petitioner a suitable specification for security and prevention of sound pollution from the construction of the proposed line.

Your Petitioner is very concerned at the depopulation of the Parish of Twyford, which has started already due to the blight from HS2. Many worshippers have confirmed they will vacate their homes and leave the village, drastically reducing the size of the congregation and the source of funds on which the Church of England depends for its ministry and for the upkeep of the Grade I listed parish Church. Fundraising is a fundamental responsibility of the Parochial Church Council and the loss of members of the Parochial Church Council and reduction in congregation inevitably results in a consequential crippling reduction in income. If this reduction in members means that those remaining are no longer sufficiently numerous to invest in the future of the Church, then the Church cannot continue to exist as a community organisation caring for its members and preserving its place of worship. The closure of the Church then becomes a necessity. Closure is not a possibility that the Twyford Parochial Church Council has ever had to face until now, but it is a very real possibility and would leave a historic building of significant national importance essentially abandoned. Your Petitioner seeks an undertaking from the Promoter that an endowment covering minimum annual costs, index linked, will be provided to produce the alternative revenue to continue to maintain the Church building as a monument in perpetuity and for the ministry to continue.

The Grade I listed Church of the Assumption of the Blessed Virgin Mary, Twyford has been identified as a building of great national significance. It is listed in Simon Jenkins book; England’s Thousand Best Churches. The 15th century door has original hinges set in a significant and well preserved Norman arch. The dado of an original rood screen survives and the pews are of medieval carpentry. The south aisle houses a large Purbeck marble alter tomb of Thomas Giffard (d.1550) and wife with his brass laying on top. The Property, due to its historic age, does not have meaningful foundations. Your Petitioner proposes that the Promoter should pay for an independent and suitably qualified historic buildings expert to survey the building and make recommendations for any further mitigation or repair that may be necessary. The cost of implementing any recommendations from the independent experts must
be borne by the Promoter who must also establish a long term locally held fund to pay for any future repair work necessitated by the use of the line.

The Environmental Statement predicts that the Church of the Assumption of the Blessed Virgin Mary, Twyford will have its setting permanently changed by the movement of trains and the associated increase in noise. The Promoter or the Nominated Undertaker should, at a very early stage, seek to agree a specification for further, more effective mitigation against the impacts to this unique historic asset and its setting, in order to safeguard it for future generations. The lack of foundations means the Property will be injuriously affected by the construction of the line and the noise levels, and vibrations from the trains thereafter. Your Petitioner proposes that the Promoter should pay for whatever is necessary to improve and maintain the foundational security of the building to safeguard the setting of the Property for future generations.

Your Petitioner has set out in the preceding paragraphs numerous harms that would befall the residents, the church congregation, members of the Parochial Church Council, visitors of the Property and the environment were the scheme to be constructed as proposed currently by the Promoter. Although these harms might be moderated to a degree by the undertakings sought herein from the Promoter, they would be alleviated further by moving the proposed line further away from the village of Twyford.

For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, so far affecting your Petitioner it 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 the PCC’s rights, interests and property and for which no adequate provision is made to protect your Petitioner.

4. 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.

Signed

Michael Richard Allen – Treasurer of Twyford Parochial Church Council
15th April 2016
To the House of Lords
Session 2015-16
PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Matthew Hollier and Susan Matheson

Declares that:

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

2. Your petitioners

The petitioners are a family who live at 6 Mornington Terrace, a residential street that overlooks the 'Camden Cutting'. We have lived in the property since we bought it in 2007 and we have two children aged 6 and 3. Your petitioners' property is approximately 80-90 meters from the intended new track that will be laid for HS2. Your petitioners' property also faces directly onto the retaining wall for Park Village East, which plans currently envisage replacing through significant construction work. Additionally your petitioners are approximately 100m from Mornington Street Bridge, which it is proposed will be demolished and replaced.

3. Your petitioners concerns

The current plans for HS2 propose:

(a) Demolition of 12 metre high Park Village East (PVE) retaining walls

(b) Reconstruction of PVE retaining walls at a height of 35 metres high above HS2 track level plus 15 metres below existing track level

(c) Deep excavation and construction of new retaining walls within the Cutting

(d) Construction of a high speed rail dive under box about 30m deep

(e) Demolition and reconstruction of the existing Line X conventional rail cross-over

(f) Demolition and reconstruction of Mornington Street Bridge

(g) Works on the classic railway tracks, signalling and other systems

(h) Installation of new tracks, gantries, signals etc

(i) Construction compounds throughout the neighbourhood

(j) Demolition of the central retaining wall at the Parkway portal

(k) Utility works in many neighbourhood streets

(l) HGV construction traffic along both residential streets and main roads for years
(m) Years of 'significant noise' and months of 'significant vibration'

4. The plans also propose that much of the construction work including that on the retaining wall at Park Village East, other walls in the Cutting and work on Mornington Street Bridge will occur principally outside of 'core hours'.

5. Your petitioners house has direct views into the railway cutting from the first floor, second floor and third floor of the house, and there are no significant obstructions to alleviate the impact of any noise or other disturbance that may occur during construction in the cutting.

6. The Promoters have submitted plans that make clear the devastating impact the construction work in the Camden Cutting will have on residents. The construction work involved in the Camden Cutting involves the most extensive duration and level of night time noise ever created in a large residential area in the UK. HS2 have been challenged on this point in community meetings and have not been able to identify schemes creating an equivalent disturbance. As such, this work is genuinely 'unprecedented'.

7. Your petitioners believe that the revised proposals for construction works are of a scale unsuitable for a central urban location, and that current proposals do not provide either adequate mitigation or compensation for the effect this will have on our lives. It is our contention that the scale of works proposed makes our house and the mitigation currently offered by HS2 are insufficient to make it habitable during the 'Camden Cutting' construction phase.

8. Night-time working and resulting noise disturbance

As noted above, your petitioner's property is a terraced house that directly overlooks the Camden cutting. Two of the three bedrooms in the house are at the front of the house, and therefore have windows that overlook the railway line from above. On a few nights per year Railtrack undertake work in the cutting, for example replacing rails or sleepers, or adjusting signalling. Our experience is that whenever this occurs the noise of trains, engineers and machinery can all be heard distinctly and is extremely disruptive to sleeping. We accept this as an occasional risk, to be expected on such a busy line. It is worthy of note that this work has been the subject of discussion between Railtrack and the local community over recent years, and Railtrack have made commitments when undertaking work to limit the amount of work and spread it out so that it did not occur on multiple consecutive days. This consideration has been much appreciated and sets an appropriate baseline for what is tolerable.

9. We strongly object to the current proposal for work in the Cutting to occur principally 'outside of core hours'. This work will require significant heavy machinery and the associated noise of a construction site. Our previous experience of work in the cutting is that it robs us of the ability to sleep properly, as it is extremely noisy. Given that this work is proposed to occur over consecutive days for long periods of time, it effectively renders our house uninhabitable over this period as extended sleep loss is intolerable and injurious to health for both the adults and children in the house. As we have noted above, two of the three bedrooms in the house directly overlook the construction site and will be exposed to the noise pollution.

10. We ask that any work should be undertaken within core hours, and work outside of core hours should only be for specific reasons as agreed with the local authority.

11. Your petitioners also note that the Promoters propose levels of noise that assessing mitigation that may include secondary glazing, or at a higher level, re-housing. Your Petitioners consider the levels are too high and should be revised. In particular we consider the number of days that noise can be over the threshold in particular period to be too high. We also consider the decibels that are allowed before mitigation kicks in to
be too high. And we consider the Promoters decision only to rely on LAeq and not also to use LAmax as inappropriate.

12. We ask that thresholds for construction noise mitigation are lowered, specifically the decibel levels before mitigation applies, and the number of days in a period that noise can exceed the threshold before mitigation applies.

13. Your petitioners also note the approach of the Promoter does not involve ensuring that noise within residential rooms is of an acceptable level. Instead the Promoter estimates noise at the façade, and then asserts that the mitigation provided (e.g. secondary glazing) will be effective. The Promoter has not undertaken the key task of ensuring the noise level within rooms is acceptable, and should be required to do so.

14. We ask that the Promoter be required to ensure that the noise level inside bedrooms at night is within specific threshold levels during the construction period. This includes ensuring that the number of events where the LAmax is over specific thresholds is not breached.

15. Your petitioners also note that the Promoter uses LAmax as a noise threshold for identifying impacts and mitigation in the operational phase of the railway, but not for the construction period. Your Petitioners believe that LAmax is an appropriate measure of noise for measuring night-time disturbance as it accounts for specific peak noise events, even of very short duration, that draw a resident from deep, restful sleep. For this reason LAmax thresholds should be used alongside that of LAeq in identifying where mitigation is required, in accordance with noise policy guidelines.

16. We ask that LAmax be used as a key assessment tool for construction noise mitigation. LAmax should be used as a threshold level for determining mitigation. LAmax should be modelled as accurately as possible before construction begins. LAmax should be monitored and managed throughout the construction phase. LAmax should be regularly surveyed both outside and inside properties during construction.

17. Your petitioners note that the proposed mitigation from HS2 is to supply secondary glazing to properties such as ours. However we note that there is no commitment to reducing noise in rooms to a specific level, in particular at night time. Given the age of the houses in this neighbourhood and their existing condition each may have specific issues and require different remedial action to make noise insulation effective. The proposed approach of the Promoter is literally ‘one size fits all’ and does not take appropriate account of the type of work required on each window. For example for some windows it may be effective to undertake ‘re-fitting’ work which would include fitting brush seals and ensuring windows are a good fit.

18. Similarly your petitioners note that internal modifications may be required. The Promoters propose only to apply mitigation to ‘residential’ rooms. On the top floor of our house it is likely that the window onto a landing would allow significant noise to enter bedrooms subsequently as the bedroom doors themselves do not bar noise effectively. Either the Promoter must provide glazing for the landing window, or replace the internal doors effectively sealed. In either case, the intention must be to bring the noise within the bedroom to a tolerable level.

19. We ask that a specific assessment is conducted of the windows in our house to determine appropriate and practicable noise insulation. This should include accounting for routes within a house where noise can reach a bedroom (for example transferring from a hallway through poorly insulated internal doors to a bedroom). It should include considering whether new window sashes may be appropriate if new sashes would provide a closer fit and better sound protection. It should include considering if brush seals would be appropriate. It should consider whether acoustic glass may be appropriate. We ask that other means of providing protection that may not be listed above but may be relevant also be considered.
20. Your petitioners note that the Promoter proposes additional ventilation to be provided for south and west facing windows. These ventilation units are significant in size and do not provide anything equivalent to the air flow if sash windows are open. This is a significant issue for the top floors of our terraced house that build up significant heat on hot days.

21. We ask that ventilation needs be considered in detail specifically for our specific house and an assessment made of what would be adequate to provide cooling to the top of the house in particular in hot weather.

22. Your petitioners also note that the Promoter proposes that, in the event of re-housing being required, no secondary glazing would be provided. Your Petitioners find this unreasonable, given that it may be the case that a house is uninhabitable for a period less than the full build period. In which case the resident should be entitled to re-housing during the peak noise period, and glazing to mitigate noise in other periods.

23. We ask that if re-housing is the mitigation appropriate for some period of the construction phase, that secondary glazing or other forms of sound insulation should also be available for the other periods. The choice should not be 'either / or' if re-housing is only for part of the construction when noise is at a peak.

24. Your petitioners note that the re-housing policy as stated in information paper E23 has inadequate detail. For any family impacted there are no adequate or suitable assurances given about the appropriateness or equivalence of accommodation. There are no assurances that costs involved will be borne by the Promoter. Further, families in the area such as ours have specific needs driven by schooling, nurseries, commutes to work. As a busy family entrenched in the neighbourhood and the community re-housing has significant issues. The current policy makes no attempt to address this and is a denial of our peaceful right to enjoy or property and family life.

25. We ask that re-housing proposals be appropriate for the needs of a family who want to remain in the area. Re-housing should be to an equivalent property, and should account for specific needs such as school / nursery commitments and commuting decisions. Re-housing must be agreed with adequate time to prepare, and all reasonable costs should be met by the Promoter.

26. Your petitioners note that vibration will exceed SOAEL levels during work on the Mornington Street Bridge, but that there is no mitigation proposed for this. This work will occur at night time and impact the quality and quantity of sleep of residents.

27. A key reason why your Petitioners are so concerned is the sheer volume and duration of noise that will be created, especially at night. This volume and extent is driven in large part by the decision of the Promoter not to pursue an integrated approach to the redevelopment of Euston Station (incorporating HS2 requirements, redevelopment of the classic station, and incorporation of Crossrail 2), and the consequent track schemes in the Cutting. Alternative approaches to the redevelopment of Euston station should be assessed, and no construction work should occur in the Cutting until this has been completed.

28. Your petitioners also note that HS2’s mitigation proposals are all dependent on a noise model built by HS2. The adequacy of this model is in doubt, given concerns over baseline measurements and particular local features. It is critical that the model is calibrated, in other words the actual level of noise at receptors is compared to the predicted levels when high levels of noise are generated in the Cutting. The model should also be subject to independent review. We ask that the Committee direct HS2 to undertake these activities and share all results with residents and the local authority.

29. Mornington Street Bridge removal
Your petitioner's house is close to Mornington Street bridge, and will be very close to the proposed temporary replacement. We are concerned that HS2 may remove one or more of the large, mature plane trees near the temporary bridge. We ask for an assurance that this will not occur, as this would make a critical change to the streetscape given the avenue of trees up the Terrace.

30. We are also concerned about the Construction Compounds on Mornington Terrace which appear to be listed as required, even when there is no work taking place on the bridge. We seek an assurance that compounds will be removed and normal street use be possible at all times when there is no work taking place on the Mornington Street bridge.

31. Construction traffic and environmental pollution

Your petitioners are extremely concerned by the proposed scale of construction and the resulting heavy construction traffic and other forms of environmental pollution.

32. Mornington Terrace is close to the centre of London, but is in fact a relatively quiet residential street. The current proposals from the Promoters propose that Mornington Terrace will be a Construction Traffic Route and as residents of that street we have a direct interest in the levels of traffic, pollution and safety. However, we are also part of the broader Camden community, and we also note that large number of construction vehicles that will be using other roads around the site and we object also to the general level disturbance that will result from such intensive construction work in an inner-city site. In particular the construction vehicles are noisy, heavily polluting, and dangerous to other road users, in particular pedestrians and cyclists. The combination of road closure, restrictions and increased traffic will also significantly increase congestion in the area.

33. Your petitioners note that there is an on-going study to remove spoil by rail not road. Transport of spoil by road is inappropriate in an inner city area and every effort should be made to remove as much spoil as possible by rail, with a minimum target of 75%.

34. Compensation

Your petitioners have outlined above details of the impact they will face from the proposed works, in particular the fact that the house will effectively be uninhabitable for our family during phases of the construction when night time working is occurring in the Camden Cutting. However the current Bill does not provide for any level of compensation, nor the purchase of our property by the Government at it's pre-blighted market value for families such as ourselves. We believe this is unjust, arbitrary and irrational given that these forms of mitigation and compensation are being offered to other house owners along the route of HS2.

35. We ask that an adequate compensation scheme be designed and implemented that accounts for the intrusion over many years of such an enormous volume of construction work, denying residents the peaceful enjoyment of their homes and neighbourhood.

36. Construction process

Your petitioners note that the Promoters are providing various assurances with respect to the scheme, which include the statements made in documents such as the CoCP, LEMPs, Information Papers. Your petitioners find these assurances to be of little value as they are not directly enforceable by impacted residents. Instead they rely on the Secretary of State for enforcement. We note the large caveat that such the enforcement will be subject to the assessment of the Secretary of State as to what is "reasonable". We find this wholly unacceptable and the assurances of dubious value. At some later date if the Scheme (or elements of it) are over budget a Secretary of State will be able to determine that he does not consider it "reasonable" to enforce the
assurances. As such these 'assurances' would be better labelled 'aspirations', entered into with good intent, but of little value in the long run.

37. Therefore we ask that an Independent Adjudicator be appointed to ensure HS2 meet the assurances provided. An independent Adjudicator should have a proactive monitoring function, and the power to direct HS2 to take action or provide redress. An Independent Adjudicator would provide a direct, proportionate and timely means of decision and redress where appropriate.

38. We note that the Independent Adjudicator is particularly required in light of HS2's very poor engagement of the community over the past years, a state which continues even today in spite of the recent critical PACAC report.

39. Your petitioners also note the poor quality of the draft Code of Construction Practice for the scheme. We note more recent schemes (such as Thames Tideway) have significantly better CoCPs that protect the interests of residents much better. The Promoter claims to be employing 'best practices' in such areas, but we do not find this to be the case.

40. HS2 Engagement

Your petitioners have been involved in various meetings and other engagement with HS2. Our experience is that all too frequently HS2 have treated engagement as a one-way activity, exactly as detailed in the PACAC report. We consider that the culture of HS2 is irredeemably opposed to local residents and there is no genuine attempt to be a 'good neighbour', which is a critical requirement if 15-20 years of construction is going to occur in our community. We ask that the Committee direct HS2 to improve its engagement in all respects.
41. 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 petitioner remains, etc.

Signed

Matthew Hollier

Susan Matheson

17th April 2016
To the House of Lords Session 2015-16.

PETITION against the

High Speed Rail (London-West Midlands) Bill

THE PETITION OF

DAVID HORBURY ANNE DALY
LUISA AULETTA CATHERINE THIRY
GEOFFREY TITLEY MARIE TANCRED
SARAH DALKIN LITOV
AXEL HICKS CUSHLA BARRY
HANNAH KHANI LAURA CURRAN
ANIL KHANI ROBIN O’DRISCOLL
MARK HARROP KIRAN SANDFORD
AGNES JEAN THOMSON JEREMY SANDFORD
KRISTINA O’CONNOR KAY BUXTON
TIMOTHY D’OFFAY JOHN BAKER
NJ THORNE N. JOHNSON
DOUGLAS WILLIS LAUREN HANNON
MARILYN WILLIS KIEN LY
ANNE ODRISCOLL LARA MILWID
IBADETE FETAHU LAUREL MILWID

Declares that:

I. The Petitioners are specially and directly adversely affected by the provisions of the whole Bill.

II. Your Petitioners

1. This petition is from London Borough of Camden residents who live either on the section of Arlington Road (a north-south road, parallel to the railway) that is south of Mornington Street, Beatty Street (off Arlington Road) or Mornington Street (an east-west road which connects Arlington Road to the railway cutting and whose end terminates in a bridge across the cutting). The centreline of Arlington Road is 150 metres away from the construction compound on
Mornington Terrace and 175 metres to the demolition of Mornington Street Bridge and the unprecedented major civil engineering works required to lay the HS2 rail tracks in the Camden Cutting. Those residents on Mornington Street itself are located commensurately closer to the works than the above distances.

2. Arlington Road and Mornington Street are thoroughfares in a very quiet neighbourhood of Late Georgian/Early Victorian houses, many divided into flats and built close to the road. They are much smaller than those residences elsewhere on this side of the cutting. Some have only narrow light wells and no front gardens. The majority are Listed. As well as the houses along the streets, Cobden House and the Three Fields Estates (London Borough of Camden), Metro House and Nelson's Yard in Beatty Street all use Arlington Road as their only access.

3. Arlington Road between Mornington Crescent and Mornington Street is very narrow and is only wide enough for a single lane of traffic in the centre of the road. Mornington Street is on a slight incline up to the cutting and is used by large numbers of pedestrians as the main through-route to the High Street from other local roads, and from the estates and houses on the other side of the Cutting. Mornington Street funnels the prevailing wind from the South-West, and therefore noise from the cutting down to Arlington Road.

4. The neighbourhood is home to many children of all ages who use these streets when walking to and from school which includes Richard Cobden School, St Michaels School, Cavendish School, Hawley School and Christchurch Redhill Street, Regent's Park. A large number of elderly people are resident in these streets, many of whom move about the neighbourhood with the aid of "walkers" and who also need ready access to their homes through the use of disability parking spaces and straight-forward access to assisted transport. Many residents who work from home and along with students need relative quiet in order to concentrate on the work or study they are undertaking.

5. Having reviewed the Supplementary Environmental Statement 2 as well as Additional Provision 3 in addition to the Bill your Petitioners fully endorse the Petitions of LB Camden and Camden Cutting.

6. Your petitioners are submitting a further petition because they received no undertakings or assurances to their petition in the Other House, where our requests were ignored.

III. Your petitioner's concerns

7. The Environmental Statement published with the Additional Provision, AP3 includes details that Arlington Road and Mornington Street are predicted to suffer significant adverse effects as a result of the scheme and no mitigation for this is currently being proposed Para 11.5.23 page 200. Your petitioners have been given to understand that some council blocks in Mornington Street are now going to be surveyed – probably for additional mechanical Ventilation but not for Noise Insulation.

8. The High Speed Rail Bill Second Special Report noted 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, page 62. Whilst your Petitioners see such a statement as positive, there are specific concerns of your Petitioners where the House of Commons Select Committee did not intervene on the position taken by the Promoter and your
Petitioners have seen no evidence of these particular concerns being addressed by the Promoter or HS2 Ltd.

Construction Route

9. Your Petitioners believe that the designation of the residential streets Mornington Street together with the section of Arlington Road between Mornington Street and Mornington Crescent as construction routes will significantly adversely affect their quality of life, the quality of life of other residents in the neighbourhood as well as that of cyclists, pedestrians and other vehicle drivers who regularly or occasionally use these streets. Your Petitioners will suffer as a result of this designated construction route due to an increase in air pollution, noise, vibrations from lorries, visual pollution, pedestrian safety, traffic congestion, access to parking (both general and disabled), fast and efficient movement of emergency vehicles and an increased risk of vehicle accidents during the extended period of construction of this project in the Camden Cutting area currently predicted in SES2 to be 10 years Page 36 para 245.

10. As indicated in SES2, new significant adverse effects are predicted on the amenity of residents along Jamestown Road, Pratt Street, Oval Road, Arlington Street (assumed to be Arlington Road) and Royal College Street due to increases in traffic and air quality effects. Your petitioners are concerned that once a road has been designated as having been significantly adversely effected, and because this is the highest level of effect, there is no way of recording the fact that levels are even worse than predicted and that no mitigation will be provided as a result because the category of effect has not changed.

11. A wider area will be affected by construction traffic with heavy lorries on quiet residential streets and about 900 HGVs a day (450 ‘two way trips’) on the local main roads and there appears to be no guarantee that the lower numbers predicted for Arlington Road will be limited in reality.

Cycling

12. Arlington Road is the only road that runs all the way from north of Britannia Junction (connecting via Jamestown Road), to Mornington Crescent. Running parallel to the High Street it provides an ideal quiet north-south link for cyclists, away from the main roads with high volumes of traffic, and this is recognised by it being designated as part of route 6A (London Cycle Network Route – Highgate to Streatham via Tottenham Court Road and Parliament Square), in addition to being proposed as a Quietway in the Central London Cycling Grid linking the new cycle lanes planned for Delancey Street to Hampstead Road via Mornington Crescent (it is due to be signposted as such later in 2016). To date, a number of cyclists have died as a result of collisions with Crossrail HGV’s. Between 2008 and 2012 46% of cyclist deaths in London involved trucks (HGVs) despite HGVs only accounting for 3% of traffic. It is necessary for HS2 Ltd to reconsider the safety of cyclists in its review of construction routes proposed in the Supplementary Environmental Statement 2 and Additional Provision.

Air Pollution

13. The combination of premature deaths caused predominantly by air pollutants from vehicles was estimated to amount to 9,416 fatalities in the capital in 2010 - or more than 25 a day. It
would seem that under these circumstances it is reasonable for HS2 to require HGVs entering the designated construction zones during construction, for the purposes of transporting excavated material, to be powered by Euro VI (or lower emission) engines. However why is it only those vehicles used for the transporting of excavated material that are required to be fitted with this technology? We can only assume therefore that many HGVs used for other functions in HS2 construction and other HS2 vehicles entering and leaving this area are not required to be fitted with this technology. Along with the use by HS2 of HGVs and other vehicles not powered by Euro VI (or lower emissions), the disruptions to general traffic, including hold ups caused by HS2 construction will result in much higher emission levels in this area.

14. As documented in SES2 there will be significant temporary adverse effects due to increases in NO2 concentrations during some peak periods of construction activity at assessed receptors on Arlington Road. However, there is no indication as to the definition of a “peak period of construction”. Your Petitioners believe that an increase in these dangerous emissions, in particular NO2, brought about through the designation of Mornington Street and part of Arlington Road as HS2 construction routes will damage the health of individuals living on these streets particularly that of pregnant women, children and the elderly.

15. Your Petitioners note that as part of assurances given to LBC that “The nominated undertaker will also explore the potential of adopting a LBC benchmark for the percentage of light vehicles below 3.5 tonnes used by contractors to serve HS2 worksites that are ultra low emission.” Page 16 para 3.25. In light of the air quality problems already encountered in London, your Petitioners are surprised to see that a requirement for ultra low emission vehicles below 3.5 tonnes was not already included in the Code of Construction Practice. We hope that the assurance to “explore the potential” for introducing such a requirement is fulfilled positively. Your Petitioners also believe that the percentage that should be set for these vehicles is 80%.

Traffic Noise

16. Residences along the path of the construction route in Arlington Road and Mornington Street are built very close to the carriageway. As a result of this, residents already experience a high level of traffic noise at peak times (during the evening rush hour). Not only will construction vehicles increase the amount of traffic, but they will also increase the level of noise due to their larger engines and heavier chassis. In the SES AP3 it is stated that “the main ES identified that as a result of changes in road traffic due to the operation of the revised scheme” there would be “adverse noise effects on residential receptors along Mornington Street and Arlington Street (sic)”. Para 3.3.6 page

17. “Mornington Street and Arlington Street (sic) to the north of the station (OSV01-C04) will experience an increase in outdoor noise levels of around 3 dB.” Para 11.5.16 Page 204 SES2. “The changes in noise levels resulting from the changes in road traffic are likely to affect the acoustic character of the area, such that there is a perceived change in the quality of life.” Para 11.5.17 Page 204 SES2. Bearing in mind that the introduction of HS2 construction traffic on all designated routes in Camden will increase traffic flow on non-designated routes as the designated routes become congested, Arlington Road will experience an increase in non-construction traffic as well as the introduction of construction traffic and therefore commensurately greater noise than is predicted.
Construction Noise

18. The Draft Code of Construction Practice allows much of the work in Camden Cutting to take place out of normal working hours. Residences along Arlington Road and Mornington Street will be affected by construction noise as this will take place in the cutting during 'Possessions', i.e. 23.00 – 05.00, in order to minimise disruptions and inconvenience to commuters travelling on the legacy lines into Euston. Those living in Mornington Street and the part of Arlington Road which directly faces the Cutting (Metro House, 38, 40, 31 and 33) are most likely to be disturbed due to the prevailing South West wind, and unobstructed view of the Cutting. Residents along the construction route will experience the added noise of construction traffic along with the exceptional construction noise.

Noise Modelling and reporting of Significant Effects

19. Despite the references quoted above there are a number of tables in the ES and SES where neither Arlington Road or Mornington Street are mentioned even though other streets which will have lower effects are noted. We are concerned that the noise modelling has significantly under-reported the effects that Mornington Street and part of Arlington Road facing the cutting will suffer. There are also a number of errors of reporting that we have identified in reviewing the data given.

Visual Pollution

20. Turning the neighbourhood from Parkway through to Euston Station into a building site for a period extending beyond 15 years creates a level of visual pollution unimaginable in a residential area. However, through the increase in designated construction routes, more residents will be affected with this pollutant on a daily basis. We talk often of the effects of noise on our senses but little of the effects of incongruous construction artefacts on our visual appreciation of the world around us. Residents of London suffer the ongoing re-construction of the city as building projects start and finish across it, but to transform a complete community’s aesthetic for a period of 15 years and longer will have effects that at present do not seem to have been considered. Construction vehicles travelling up and down outside of residents’ homes daily will bring this construction project to the residents’ front doors and through an increase in dust and residual grime resulting from the prolonged construction activity they will not be able to escape the fact that they live in a permanent construction site and not as many had chosen, a peaceful, well kept but highly connected and vibrant inner city neighbourhood.

Parking

21. The development of HS2 in Camden and Euston will see an increase in demand for parking spaces because of the removal of many residents parking bays on construction routes (well over 50 places to be lost in the local parking zone alone). Residents of Arlington Road and Mornington Street and their visitors will see increased pressure on available parking spaces, and that may be exacerbated as the Arlington Road section of the construction route is not wide enough for a two lane carriageway with HGVs on it. The reduction in available parking spaces will directly affect those residents of this neighbourhood who hold disability parking permits and need to park as close as possible to their residence.
Compensation

22. 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. Your Petitioners understand 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. However, this project is not a normal construction project, it will take up a quarter of many residents' lifetimes or more. As such, no owner should be financially worse off as a result of deciding to sell their home during this period. This applies not simply to having the "need to sell" but also the "want to sell". Owners who have purchased their property since 11 March 2010 should also not be unfairly discriminated against by any "Need to Sell" Scheme as a buyer of property since that time should not be expected to be unfairly compensated for their property whenever they choose to sell.

23. In addition, as there remain unmitigated significant adverse effects on Arlington Road and Mornington Street, compensation should be available to all residents (owner occupiers and long term tenants) who choose to remain in the area. Such compensation has been paid before in Camden, by Union Railways North to Coopers Lane residents, for the same purpose.

Length of Project

24. Your Petitioners are gravely concerned that the SES2 and AP3 state that the completion date of this development project has now been extended from 2026 to 2033 (and beyond) with impacts on the local community between 2016 and 2026 now being much greater. In particular, there is proposed to be 20% additional excavation and a further 20% materials required, despite only half of the station being developed, resulting in a much larger number of lorries on the roads in the earlier period. A construction project lasting more than 15 years in a residential neighbourhood of a large city seems to place an unfair burden on residents of that area. This is particularly the case because the Promoter has used the argument that phasing the station works lessens the burden on the community.

Engagement and Consultation

25. According to the High Speed Rail Bill Second Special Report "Residents from both sides of the Camden cutting were worried about the duration and extent of the works in the cutting and about incidental effects of the project such as loss of parking. There, at Ampthill estate, and in other areas particularly close to construction, we would like residents to be consulted on their preferences for how to moderate the impact of the construction programme." Para 233, page 59. Your Petitioners would welcome an opportunity to be consulted on such preferences and indeed would welcome the opportunity to make a contribution towards how such a consultation might be carried out.

26. In the letter to London Borough of Camden outlining the HS2 Ltd Assurances, the subject of "Community Engagement" was dealt with on Page 10 of the letter of Assurances regarding Petition Issues where HS2 Ltd noted that the message they received from many groups along the HS2 route was that "effective community engagement must be central to the delivery of the scheme". It is surprising that on such a high profile project which during its 20-year construction
period impacts the lives of many thousands of citizens, that such engagement was not a priority from day one.

27. In order for "Community Engagement" to be effective, the people that comprise the community must be listened to – it needs to be a two way process – and those being engaged with need to see that their efforts have made some difference to matters. Your Petitioners hope that with the acknowledgement of this requirement by HS2 Ltd a more effective engagement with the community will now take place but remain exceptionally concerned that this will not be the case. In the four months since the Select Committee sat there has been no further engagement other than the opening of an office in the Temperance Hospital which is not conducive to round table discussions and is reactive format rather than proactive one.

III The Relief Sought by your Petitioners

For the reasons given in this petition, your Petitioners respectfully ask that the proposed scheme be varied in the following respects and that appropriate amendments to the Bill be made accordingly:

Construction Route and Cycling

28. Arlington Road to be maintained as a designated Quietway for cyclists and prevented from use by construction traffic. This would ensure that cyclists (both local and commuting) continue to have safe passage through Camden Town from north to south away from the added danger of HGVs used in the construction of HS2.

29. Given that construction traffic will be using other routes through our residential neighbourhood, once the Quietway is implemented, steps will need to be taken to prevent increased traffic of non-HS2 vehicles including lorries using the road to the detriment of the cyclists and to minimise additional traffic on other neighbourhood streets by the implementation of suitable traffic control measures.

30. With regards to traffic safety, in the House of Commons Select Committee PRD it is stated "However, the Promoter recognises the Select Committee's ambition to do something above and beyond this in terms of leaving a legacy of improved road safety. Therefore, we will provide up to £30 million to support road safety schemes in the non-urban local authority areas along the Phase One line of route." Para 96, page 26. Your Petitioners believe that due to the significant on-going adverse effect caused to Camden residents and users of Camden roads while this construction is underway, the monies allocated to non-urban local authority areas along the Phase One line of route should also be available to urban local authorities.

Air Pollution

31. All vehicles operating into and out of the HS2 construction area must be powered by Euro VI (or lower emission) engines and all plant is to have similar. Results of independent testing of Euro VI technology on makes and models of construction vehicles used for the HS2 construction in the Camden and Euston areas should be made available to the public. The vehicle testing
should be carried out under conditions under which these vehicles would normally operate in the Camden and Euston construction areas.

32. In the letter to London Borough of Camden outlining the HS2 Ltd Assurances on Air Quality, one such assurance given is that “Before work starts air quality measurements (monitoring) will be made at locations where significant effects on air quality adjacent to highways are predicted in order to establish a baseline.” Para 2, page 4 Air Quality. Given the large number of residents whose health is potentially affected by such a long-term construction programme your Petitioners feel that it would be safer to have a comprehensive monitoring of air quality throughout the neighbourhood prior to construction rather than “locations where significant effects on air quality adjacent to highways are predicted” as it may be difficult to make such predictions especially with regard to displaced general traffic as a result of ongoing construction traffic and as has already been seen with the failure to take into account prevailing South West winds in the neighbourhood when making initial air quality assessments.

33. Your Petitioners are pleased with The High Speed Rail Bill Second Special Report requirement that “monitoring of air quality to feed into an assessment of whether rehousing 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.” Para 232, page 59. Your Petitioners would therefore like to see a more comprehensive plan for integrated air quality monitoring taking into account traffic as well as construction activity and with effective mitigation procedures, with reporting on a real time basis and not, as is currently proposed a year in arrears and exceedances only.

Traffic Noise

34. Your Petitioners welcome the statement in the House of Commons Select Committee PRD that “A plan to maximise the amount of waste removal carried by rail will be developed by May 2016” Para 232, page 61. Your Petitioners are disappointed that such a requirement had not already been undertaken and firmly believe that in order to minimise the significant adverse effects of this construction programme on residents that all movement of materials, to do with the development of HS2 in Euston and Camden Cutting to be undertaken by rail. This would include all excavated materials and material and equipment for rail construction and systems of this rail project and operate as a mark of twenty-first century good construction practice. The remaining construction traffic should then be routed via main roads (the TLRN network), and, where it is necessary to move to residential streets in order to enter and leave construction compounds, then this should take place on streets which are going to qualify for secondary glazing in order to reduce the impact of construction noise. A major reduction in the requirement for construction routes around the project site is required, in order to decrease the threat of early onset disease to residents in the vicinity and to minimise the spread of loss of amenity.

35. Your petitioners ask that properties on Arlington Road and Mornington Street should have assessments for the provision of ventilation packages because the LOAEL construction noise trigger level at night is 45dB, and the baseline measurement for this location is already 46.5dB. If residents are forced to keep their windows shut to prevent disturbance above the LOAEL then many properties will suffer from excess condensation, damp, mould and an increase in indoor air pollution – all of which will be damaging to their health.
Construction Noise

36. Your Petitioners note that with regards to construction noise the High Speed Rail Bill Second Special Report requires that “No more than six months after the start of the works, there should be an assessment of compliance with noise limits and a survey of health impacts. The Promoter should reconsider rehousing based on the outcome of that survey. It may need to revisit the noise and hours applicable to construction work in Camden at that point.” Para 235 page 59. Whilst your Petitioners welcome a more comprehensive monitoring of construction noise, they are concerned that such an assessment as referred to in the above report would only be valid if it were based on more robust first principles; starting date of “which particular work”, “where” and “where and when is the monitoring taking place?”

37. Your Petitioners would also like to see integrated noise monitoring taking into consideration construction noise as well as construction traffic noise and displaced general traffic noise, and a more comprehensive baseline assessment undertaken to ensure that modelling predictions are correct with real-time testing of the model to ensure the predictions are correct.

38. The High Speed Rail Bill Second Special Report recommendation that “Start-up and shutdown hours might be moderated, for instance. We want the Promoter to avoid adding to the burden carried by the area with works such as night-time surveys. Night-times should be off limits for such activities. Periodic construction breaks and non-working Saturdays should be consulted on and considered.” Para 233, Page 59 is welcome. Your Petitioners, however feel that work on the Camden Cutting should be restricted to day time with a solution found to managing existing rail traffic to enable this. Certainly lorry movements should be restricted to core hours only.

39. In order to mitigate the disruption to resident’s lives through the impact of noise related to the HS2 construction, dwellings on the streets listed in this Petition should have secondary glazing installed by HS2 Ltd as well as being provided with improved ventilation systems to compensate for having windows closed during the warmer months. Non-working Sundays should be programmed in to offer periodic respite at weekends from endless construction taking place.

Engagement and Consultation

40. Engagement with the community is not simply an exercise prior to commencement of construction but it is something that must ensue for the fifteen plus years of construction. It is for this reason that your Petitioners request that funding be provided for additional officers at LBC to monitor the areas of local residents’ concerns during the construction period thereby demonstrating commitment to the project’s engagement with the community.

Compensation

41. Camden residents should be able to claim the benefits of the promoters’ voluntary purchase scheme along with rural residents. Owners wishing to sell their property during the construction period of more than fifteen years for HS2 in the Camden area should not be adversely impacted financially. This would include those owners who purchased the property after the route of the HS2 had been designated. Homeowner payments should also be available to residents whose lives are negatively impacted by construction of the project where it is over such a long period of time.
An Independent Adjudicator

42. Your petitioners ask that such a function is available to provide effective investigation and enforcement of outstanding issues as they arise. The Independent Adjudicator is to ensure that the Residents Commissioner and Construction Commissioner are fulfilling their roles adequately and are able to action complaints and get them resolved quickly.

IV. 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.

NAME: DAVID HOBRT

NAME: .................. ...........................................

NAME: TIMOTHY OGUOR

NAME: SARAH DAVIN

NAME: AXEL HICKS

NAME: ANIL KHAMD

NAME: KIWIN SANDFORD

NAME: JEREMY SANDFORD

NAME: KAY BUXTON

NAME: JOHN BAKER
To the House of Lords Session 2015 – 16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Luisa Chandler, Alan Chandler and on behalf of their two children.

 Declares that:

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

Your petitioner

2. Your Petitioners are Luisa and Alan Chandler who have lived on the corner of Arlington Road and Mornington Street, for nineteen years, and their two children aged 17 and 12.

3. Your Petitioners’ home is a two bedroom maisonette arranged over the basement and ground floors of a four storey end of terrace house built in the 1840s. Due to its location your petitioners’ dwelling is effectively exposed on three facades to the adjacent roads (both of which are designated Construction Routes). At the Western end of Mornington Street, the Euston Station throat approach lies in cutting.

4. With a total floor area of only 600 sq. ft (56 m²), their maisonette is considerably below housing standards where a two storey 4 person, 3 bed dwelling is required to be 900 sq. ft. Despite this extreme space constraint your Petitioners feel
privileged to be able to live there. Were the area not so peaceful and convenient, and their garden not so green and beautiful the cramped conditions in their well-designed flat would not be so tolerable.

5. The entrance to your petitioner's maisonette is through their pocket-handkerchief sized garden with a door directly leading on to Mornington Street, a quieter, wider and greener road than Arlington Road. This garden, behind a tall brick wall, and dominated by a Silver Birch tree that they planted 14 years ago, is an oasis of calm, and is used by your petitioners to eat in during the summer months (thus, both visually, and through everyday use, very much extending the sense of space within their property).

6. Your Petitioners' children's small bedrooms (8ft x 6 1/2 ft) both look out into a narrow basement light-well at the front of their maisonette, just beyond and above which, lies Arlington Road. Their rooms' only natural ventilation is below pavement level.

7. The rear of your Petitioners' house faces towards the railway cutting and is less than 500 unobstructed feet (145m) away from Mornington Street Bridge, which is to be demolished and replaced, and where a construction compound will be sited for at least five years. With the prevailing wind from the South West your Petitioners can hear noise from track works at night when they take place, but these are not loud at present (your Petitioners note that it was the building of the original railway cutting in the 1840s that, for a century, blighted Camden Town with smoke and dirt from the steam engines due to the railway cutting being located upwind.)

8. Due to the particularities of the location of their property your petitioners believe that they will be affected more considerably by the works than many other properties nearby which are shielded by other terraces, and which do not also lie on a designated Construction Route. Your Petitioners' special circumstances (as a
result of both their living accommodation and the sensitivities of their younger child) complicate this picture further.

9. Your Petitioners previously lodged a petition, No. 1690, against the original Bill for the detrimental impacts the construction work would have on their house, their neighbourhood and their way of life. As a consequence to the changes wrought by AP3, including the designation of the two roads adjacent to their property as a Construction Route, they also lodged a second petition, AP3 058. Your petitioners are now petitioning your right honourable House to reserve their right to address the select committee in due course, should they not receive a favourable response from the Promoter, following submission of an application for consideration as a special case.

10. Your petitioners are concerned about the lack of transparency in this application process, with no set procedure other than writing a letter to the general HS2 Enquiries office, no sense of timescale, of how their case will be processed and whether the process will be intrusive, nor of whether any assessors will be appointed and if these will be truly independent of the Promoter or not. They have hesitated to make their application for these reasons, out of anxiety that the Promoter will treat them poorly and awaiting further information about the Noise Insulation package being offered and how properties will be assessed for LOAEEL trigger levels on Construction Routes. It was hoped that further engagement by the Promoter would make this clear during the intervening time between the two Bill readings. Regrettably this has not been the case.

Your Petitioners concerns about the direct impact on their household:

11. Your petitioners are concerned in this petition with the direct and negative impact on their family life, and in particular on their 12 year old child, who will be 30 years old when the 'temporary' works are completed. As such your petitioners reserve the right to provide evidence of ongoing concerns for their youngest child whose
disability falls within the protected characteristics of the Equality Act 2010. This child experiences difficulties in concentration exacerbated by background noise, suffers from anxiety when faced with unusual or abnormal increases of activity, and is sensitive to changes in routine. They have difficulties with sleeping, and their vulnerabilities are exacerbated by tiredness. Their love of and gift for classical music (including recently winning the Norma Simpson Lower Strings prize, Junior category, at the Royal Academy of Music), compounds their lack of ability to deal with noise and vibration, to which they are extremely sensitive. This child’s current desire to pursue music seriously into adult life is therefore under real threat through the impacts that are consequent on the passing of this Bill.

12. In addition your petitioner’s occupation of their property is intense, owing to its small size, and it is often necessary for them to carefully manage their day-to-day activities within their home to ensure that their internal environment stays healthy – for example they frequently open windows in order to vent out excess moisture, and utilise their garden for drying clothes whenever possible (as they do not possess a tumble dryer). Opening windows, even in winter, is an absolute necessity, that is going to bring the 24/7 construction effects into the house.

*Your petitioner’s concerns about their immediate local environment:*

**Noise**

13. Despite the longevity of construction in the locality, such work is deemed to be ‘temporary’, thereby obviating the need for the same level of checks, standards and mitigation applicable to ‘operational’ adverse effects. For example the SOAEL for construction is set at a higher level than that for operation: “This reflects the fact that construction noise is temporary (in that daytime construction noise varies substantially in level and character on a month-by-month basis)” 1.5.16 Vo15_Appendix_SV-001-000 p32.
14. On the 12th October, at HS2AA's appearance in the House of Commons Select Committee, Mr. Thornely-Taylor, on behalf of the Promoter, stated “the thing about construction noise is it's of limited duration... there is a general acceptance that people are, to put it bluntly, to tolerate more noise from construction sites than from permanent installations because otherwise nothing would get constructed. If they have tolerated more noise in the day, then there is a payback in that the levels in the evening and the shoulder periods are reduced.”

15. In relation to the much extended programme, and with the majority of the major Civil Engineering work taking place at night, however, your petitioners strongly believe that it is unacceptable to propose such higher thresholds for construction noise on this basis.

16. Whilst it may be the case that noise from construction will be below trigger levels at your petitioner’s property, the sensitivities of their youngest child mean that the intensely noisy works will have a detrimental effect on them nevertheless – in particular the loudest sounds which have not been accounted for as individual events (LAmx), will be the noises that will certainly wake our child up during the night.

17. Your Petitioners volunteered to accommodate noise monitoring in their garden (undertaken July 2013, Loc. ID LM1075, producing surprisingly low levels for an urban location, of weekday daytime 50.2 dB LpAeq,16hr and nighttime 41.7 dB LpAeq,8hr). Any addition to this low baseline will be noticeable for their child.

Air Quality

18. The designation of Arlington Road and Mornington Street as a Construction Route condemns your Petitioners to harm through increases in airborne pollution that will particularly affect their Petitioner children sleeping in their bedrooms next to the pavement. LGVs will be utilising this route in addition to HGVs and there is a predicted 40% permanent increase in traffic on the road following construction.
Any increase in the quantity of air pollution will result in significant impacts on health and this affects the young and the elderly most. Your petitioners are at a loss as to know how these impacts will be mitigated further via action plans should such a deterioration in Air Quality be registered by monitoring, as has been offered as an Assurance to their Local Authority.

Residual and In Combination Effects

19. Your petitioners note that under Section 6 of the Non-Technical Summary (NTS), significant “temporary” residual effects are reported for the roads adjacent to their property. In the SES2 and AP3 ES Community chapter, residential properties in Mornington Street (Albert Street to Arlington Road) are predicted to experience in-combination effects due to an increase in HGV movements and air quality effects. The combination of these effects will result in a “Major Adverse effect on the amenity of residents” along this section of road, which is Significant. The rear of your petitioners property effectively faces onto Mornington Street and their quiet garden is entered from this road.

20. The Non Technical Summary also states elsewhere, under “Community” that there will be temporary major adverse amenity effects (due to a combination of some or all of the following: HGV movements, noise and air quality effects, on residents in Mornington Street among a list of other local roads (see p29).

21. It has come to your Petitioner’s attention that there appears to be no cap on the Major Adverse Significant Residual Effect category – in other words once a location is identified as having a Major Adverse effect in the ES there appears to be little incentive or need to try to minimise that effect, as there is no higher category that the location could subsequently be re-classified into (triggering, one would hope, a review of the effects, impacts and action, as it does if a location moves from the Moderate to Significant category).
22. Indeed the streets that are most significantly impacted in the locality (Park Village East and Mornington Terrace) did not have their Community Impact Assessment Record Sheets (CIARS) updated in AP3 as they had already reached Major Adverse effects in the original Bill scheme, despite the fact that impacts are now greater under the current scheme owing to the introduction of permanent longer ground anchors and works in conjunction with the reinstatement of Line X. Mornington Street is not given a CIARS and your petitioners believe that this is due to the fact that part of the street (the bridge which is being demolished) is noted as having beneficial AQ, even though the Eastern end is noted as having Major Adverse effects. Inconsistencies such as this cause concern that the ES is not fine grained enough to have picked up such matters and is thus providing a shield to impacts which would otherwise need to be noted. This may apply to Arlington Road too, where it is just the southernmost section of a long road that forms part of a Construction Route.

23. Finally your petitioner notes that the Health Impact Assessment Addendum, which is separate from the Hybrid Bill documentation, states on p17 at 4.3.20: "intermittent amenity impacts are likely to be experienced by residents in the following areas: ...Mornington Street (Albert Street to Arlington Street sic.)." The next paragraph notes that adverse effects from changes in amenity "can lead to stress, anxiety, sleep disturbance and disruption to daily routines". Your petitioner has been unable to find such a clear statement of effects, and in particular relating to their direct immediate locality (a stretch of Mornington Street that is barely 250 ft in length) in the AP3 and SES documentation. Your petitioner's youngest child will suffer these detrimental impacts at a greater level than would others of their age as a result of their sensitivities.

Cycling and Construction Routes

24. Your Petitioners' family use their bicycles as their main form of transport. Arlington Road is part of the Central London Cycle Grid – and will be connecting new segregated cycle lanes soon to be constructed on Delancey Street with those to be
implemented on Hampstead Road. Your petitioners understand that this route is to be signposted later this year. Sadly your petitioners’ everyday journeys to work and to school will be along a number of designated Construction Routes including, incompatibly, Arlington Road itself, that will make travel much more dangerous and unhealthy. The further increase in numbers of roads nominated as Construction Routes within the current Bill effectively designates every street around your Petitioners’ property as being subject to significant construction traffic for up to seventeen years. Severance will be an ongoing issue in all directions with traffic congestion on a massive scale affecting local amenity and air quality.

25. The impact on the wider locality is immense, and has been ably and fully set out by local groups such as the Camden Cutting Group whose petition they fully support.

Your petitioners ask for the following remedies:

26. That the Noise Insulation package is provided to them to protect their youngest child’s wellbeing, should the Promoter not have already offered such through consideration of their special case application.

27. That a suitably upgraded ventilation package is provided to deal with the additional condensation and mildew that will result from the installation of secondary glazing, and that will take into account the intensity of occupation and the quality of air being delivered into their property.

28. An assurance that, should conditions become intolerable at a later point in the works for your petitioner’s child, even with this mitigation in place, they are able at that point to choose between either:
   i) The Promoter covering the full cost of removals and rental of suitable alternative accommodation away from the works (including insurance costs for their empty property), for the duration of the disturbance. Or
ii) that they can access the Express Purchase Scheme, so that they are able to move fully away from the area without suffering the financial consequences of a market valuation that has been lowered by construction blight and removal costs that they otherwise would not have to bear.

29. That Arlington Road and Mornington Street will be removed from designation as a Construction Route, in order to safeguard the North-South Central London Cycle Grid route on Arlington Road - with measures funded and put in place by the Promoter to ensure that the road is not able to be utilised by displaced traffic seeking alternatives to congested roads elsewhere (such as a permanent restriction to through traffic).

30. That the speed table will be removed at the junction of Arlington Road and Mornington Street, thus preventing additional impact vibration and air pollution arising from traffic negotiating this 'traffic calming' feature during and after the works.

31. Air quality monitoring is undertaken on Arlington Road and Mornington Street – and that any major construction going on at the time is taken into account in the baseline results. (There is a large ongoing development adjacent to Arlington Road at present and your petitioners are currently experiencing poorer AQ as a result – the current air quality cannot be taken, therefore, to be a normal baseline level).

32. In light of the above, your Petitioners reserve the right to raise the above matters and any further matters of concern relating to the Hybrid 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 our expressed concerns that may occur in due course and prior to our representation before the Select Committee.
The Prayer

33. 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.

Signed Alan Chandler

Signed Luisa Chandler

SIGNED THIS DAY 17 APRIL 2016
PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF The Flower Gallery

Declares that:

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

2. Your petitioner

The Petitioner is a business located at 15 The High Street Wendover, HP22 6DX.

The Petitioner will be 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 during construction causing delays in travelling, the reduction in customers and other visitors wanting to come to Wendover businesses causing local unemployment; the reduction in property values for home 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:

With the burden of construction, customers from outlying villages who currently use Wendover as their shopping centre will be unwilling to do so quite rightly not wanting the traffic congestion, noise and dust that will result from the protracted construction phase. These customers from outlying villages are the mainstay of your Petitioners business. Your Petitioner contends that a florist business will be unlikely to receive large numbers of visits from construction workers to compensate for the loss of trade over several years which will render the business non-viable. This point seems lost on HS2 Ltd who appear to see no connection between their construction plans and the commercial death of current Wendover businesses.
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 give the businesses a chance to survive and thrive both during the construction phase and for generations to come.

Your Petitioner asks that their Lordships request that HS2Ltd are required to produce an independent costing analysis of the current proposal versus a fully bored tunnel to include the hydrogeological issues that it is felt are relevant.

Additionally some form of commercial indemnity insurance be paid for by HS2Ltd to help businesses affected by construction and suffering loss of revenue as a result should be made available. This will be a low cost item, if, as HS2Ltd claim, there will be minimal disruption. However it would give the Wendover businesses a certain degree of financial security and rethink what appears to be currently happening i.e., leaving Wendover when their leases are due for renewal rather than commit to a highly uncertain future.

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:

Name.
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF
Andrew William Stancombe

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 Wendover Dene 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

APRIL 2016
To the House of Lords
Session 2015 - 16

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

THE PETITION OF John and Lynne Ladd

Declares that:
1. The petitioners (‘Your Petitioners’) are specially and directly adversely affected by the whole Bill

2. Your petitioner
Your Petitioners are John and Lynne Ladd, freeholders of Chequermate, Dunsmore, who 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.

They have been resident in Dunsmore for over 20 years, having moved there because of the tranquility, uniqueness and beauty of the environment.

Your Petitioners are injuriously affected by the Bill. They object for reasons, amongst others, hereinafter appearing.

3. Your Petitioners' concerns

3.1. Tunnel throughout the Chilterns AONB

Your Petitioners 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. HS2 are proposing grotesque 6 metre sound barriers. In Wendover these are totally unacceptable. 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.

Your petitioners are also seriously concerned about the disruptions to their 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 petitioners need 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 Great Missenden and Wendover, 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 petitioners further regard this network of narrow lanes in the AONB as a characteristic feature of the area and are 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 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:

That provision is made for constructing bridges where there are 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 ac·
cess, particularly given that this is part of the AONB.

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.

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.

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 40 feet high, in order to
conceal the line from views, at the earliest possible time.

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.

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

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

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.

That the local authorities for areas along the proposed line should be reim­
bursed 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 railway
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 are 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, and 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 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 to have access to all reports to ensure these are addressed and remedied in a reasonable length of time.

Your Petitioners contend that the above measures of mitigation should be unnecessary as they contend that in an AONB only a fully bored tunnel would be acceptable. Petitioners had been advised prior to the House of Commons hearings that a hierarchy of mitigation should be requested. However, it became apparent that HS2 Ltd were using these as the lowest common denominator as opposed to providing the Petitioners’ asks in order to minimise their costs at the cost of the environment.

Your Petitioners therefore ask that Your Lordships recommend the maximum requirements to protect the AONB both for now and more importantly given our ages for future generations for whom open areas will be more important given the need for greater land requirements for building. Given that The Chilterns AONB is the closest such protected landscape to London and with good public transport links with the capital, its preservation in as an undamaged state as possible is an imperative.

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.

Signed

John and Lynne Ladd

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

Date 17-04-16
To the House of Lords
Session 2015-16

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

THE PETITION OF Alison Oakes
Declares that:

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

2. Your petitioner
The Petitioner is resident of 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 lives in Little London near Wendover.

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

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.
It is estimated that the value of this area is of the order of £500 million to £750 million. The value of the damage to this national asset as a result of the construction of HS2 through it will be enormous.

**General Concerns**

As a resident of the AONB your petitioner has several specific grievances which are set out below. This list is by no means exhaustive, due to the inadequacy of the Environmental Statement prepared by HS2, inevitable that that the construction of HS2 will disrupt the lives of residents in the AONB in ways which have not yet been considered.

Your petitioner doubts that the current route through the Chilterns AONB would have been selected had a Strategic Environmental Assessment been conducted, since the very obvious environmental impacts for this area and the difficulties of constructing a line through this area would have been apparent. No credible comparison of the AONB route with other alternatives has been attempted in the Environmental Statement nor has the flexibility in the detailed route been explored that would be possible had the route not been 'future proofed' to be capable of a maximum speed of 400 km/hr but a lower speed adopted, enabling existing transport corridors to be followed.

Preservation of the Chilterns AONB HS2 bisects the AONB at its widest part. Between Mantles Wood and Wendover the Proposed Route is on the surface for 10 km and includes sections in shallow cuttings, on two 500m long viaducts, on embankments and in two cut and cover ('green') tunnels. Less than half the AONB is currently in a bored tunnel. This area is designated as an AONB 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 attract over 50 million visits a year - many from London residents,
- have severe adverse effects on the social, environmental and economic cohesion of the communities in the area during and after its construction,
- permanently and seriously reduce the ability of residents to enjoy the natural benefits of the area in which they live.
Your petitioner requests that the AONB be protected from these effects by ensuring that the line passes throughout the AONB to the North of Wendover in a bored tunnel. Your Petitioner contends that a bored tunnel throughout the AONB would be a cost effective means of avoiding long term environmental damage, and severe construction disruption, as the problems itemised below will otherwise need to be addressed at considerable cost but with a less satisfactory environmental outcome. There needs to be an independent cost analysis of a bored tunnel compared to the proposed surface route.

**Environment**

Your petitioner makes extensive use of the recreational facilities afforded by the AONB, and strongly objects to the following impacts of the project and requires the Bill be adjusted to remove them:

- Diversions of public rights of way, and reinstatement of some PROWs to run alongside the line.

- Destruction of Woodland and in particular of Ancient Woodland. Ancient Woodland represents an irreplaceable resource (as stated by HS2 Ltd) and there is no evidence suggesting that translocation of Ancient Woodland is successful.

- The use of 'sustainable placement' in the AONB (at Hunts Green) even supposedly temporary which your petitioner regards as a failure to observe the waste hierarchy and ignores their own policy that landfill should not be at a nationally sensitive site.

- Continuing audible and visual intrusion of the railway in operation. The Zone of Theoretical Visibility of HS2 in the Environmental Statement shows it will be seen from across the Misbourne valley, and even this ignored the gantries. The noise impacts are inadequately mitigated, for those living in proximity to the line, with little done to address the impact on walkers, cyclists or horse riders, -whose needs are hardly mentioned in the ES. Additionally the proposed 6 metre sound barriers to protect Wendover, when, HS2 Ltd stated that Wendover would not experience noise nuisance at their initial roadshow, will have a truly overbearing visual intrusion on residents and visitors to the North of the AONB.

- Adverse effects on the ecology of the AONB, in particular on the bat and owl populations.
• The adverse effects on property values, leaving local property owners bearing significant personal losses

The planned speed of HS2 causes it to have far more adverse environmental impacts than it need have, as it is unable to curve around environmentally sensitive areas, making it more obtrusive. Furthermore noise and energy consumption increase rapidly with speed, making speed highly undesirable environmentally. A reduction from the planned initial speed of 225mph to 185mph (as for HS1) increases the journey time between London and Birmingham by only 4.5 minutes, but such a reduction in speed would allow HS2 to follow existing transport corridors and have far less adverse impacts.

Construction

Your Petitioner is gravely concerned about the inadequacy of measures proposed to mitigate the effects of construction traffic throughout the AONB, and in the Misbourne Valley in particular, that are scheduled to last for more than 7 years and more than 3.5 years at their peak. Your Petitioner regularly drives through the AONB to access family, shops and recreational facilities/ and so will be directly impacted by traffic congestion throughout the area (and on the A413 in particular) for the duration of the construction works. Your petitioner regularly uses the network of lanes in the AONB for recreation, and regards these as a characteristic feature of the area which should be protected. Many of these cross the proposed route and wiU be diverted or interrupted during construction^ some even being designated as construction traffic routes despite being wholly inappropriate.

As a resident of an area adjacent to the construction zone, your Petitioner is also concerned that traffic seeking to avoid congestion will place a further burden on the roads in his community, which are already operating at capacity, and so further aggravate the impact on his freedom of movement.

Your petitioner also requests that the nominated undertaker be required to mitigate the remaining nuisances, by amending the Code of Construction Practice and making it legally enforceable the following measures -

1. 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, including sub-contractors. Also HS2 should fund temporary speed restrictions.
2. Restricting HGV movements to the period 09:30 - 15:30 throughout the AONB, and prohibiting HGV Movements along school routes for 30 minutes before and after the start and end of the school day (during term time).

3. Operating a 'Park and Ride' scheme to transport construction workers along the trace, and enforcing this by not providing parking for contractors at the construction compounds. Constructing such facilities as may be necessary to remove excess spoil from the AONB by rail, so avoiding the creation of the spoil dump at Hunts Green.

Health and Welfare

Your petitioner lives sufficiently near to the proposed route that her and her family will be exposed to harmful levels of noise, as the Proposer has not made adequate arrangements to prevent exposure to night time peak noise, which the Bill as drafted allows to be above the level the World Health Organisation has identified at which adverse health and wellbeing effects are observed.

Your petitioner is very concerned that the emergency services will be unable to provide timely support to her family and property due to road congestion during the construction period, and "Would remind the committee that the A413 carries ambulances to the local A&E department at Stoke Mandeville, as well as airHS2 traffic to and from the AONB;"

Your petitioner requests that HS2 Ltd provide an air ambulance - with crew on standby during - working hours, to ensure that medical emergencies receive a prompt response. The committee might also consider that with 11 construction sites operating in the area, it would be criminally irresponsible not to be prepared for any industrial accidents.

Your petitioner is concerned that the dust and fumes from construction will have adverse health effects, as will exposure to excessive construction and construction traffic noise.

Your 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.

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

Alison Oakes

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

Rosamund Elizabeth Wood

Declares that:

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

The Petitioner is injuriously affected by the Bill, to which your Petitioner object for reasons, amongst others, stated within this petition.

2. Your petitioner

Your petitioner is the freehold owner of a property in the settlement of Dunsmore, Nr. Wendover. Your Petitioner has lived in Dunsmore since 1978. Prior to this your Petitioner, on marriage, moved to Amersham. This was in 1952. Your Petitioner has chosen to live in The Chilterns for the last 62 years because of the natural beauty, peace, tranquillity, and the wild life. The Petitioner is a member of The Dunsmore Village Hall Association and The Dunsmore Society. These organisations have engaged with HS2 Ltd. in Bilateral and Forum meetings. Your Petitioner is also a Trustee of the Church of the Resurrection, in Dunsmore.

Your Petitioner avers that she will be severely affected in the construction and operation phases of the proposed HS2 railway.

Construction and Operation phases will be injurious.
Dunsmore is a unique place immediately south of Wendover and on the western ridge of the Misbourne Valley. At approximately 850 ft above sea level it is the highest settlement in the Chilterns. It is a haven of beauty, peace, and tranquility. This will be destroyed by HS2. The impacts that will injuriously affect your Petitioner in terms of her quality of life are related to noise and visual impact the desecration of the protected landscape, the countryside and wildlife. Your Petitioner walks her dog for 2 miles each day before breakfast and this is currently a therapeutic experience. HS2 will destroy this simple pleasure.

As a Trustee of The Church of the Resurrection your Petitioner shares responsibility, with the other Trustees, for the maintenance and the upkeep of the fabric of the Church. Funds are raised in a variety of ways but one of the most important is the Sunday Cream Teas. Local people provide homemade cakes and donate them to the Church. Volunteers prepare and serve the teas. Your Petitioner is greatly concerned that Church income will be reduced because of the degradation of the Environment, in construction and in operation. Currently people come to the teas from some distance away, on foot, on bikes and in cars. It will no longer be a desirable place to come. The Church, which is independent and ecumenical, has to be self-supportive and this is at risk. It’s a vital asset to the Dunsmore community.

Your Petitioner drives only short distances. Dunsmore has no shops and consequentially she relies on her regular visits to Wendover for provisions etc. Your Petitioner opines that Wendover shops and businesses will be seriously impacted by the HS2 construction phase and avers that there will be a reduction in the amenities available to her in Wendover.

Your Petitioner will experience considerable traffic delays for several years caused by the daily addition of 300 HGV’s envisaged by HS2 Ltd using the A413, B4009 and the A41 during construction.

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 HS2 Ltd 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 to use the A413 and to stop and make a right turn to get home, crossing continuous and heavy traffic with limited visibility putting your petitioners and others at risk.

The Petitioner has had to make use of both the ambulance and fire emergency services whilst living in Dunsmore. Any delay in emergency service response times could be significantly injurious to the Petitioner and/or her property.

HS2 Ltd noise assessment has not taken into account the topography of the valley or the tranquility levels. HS2 Ltd would prefer to pretend places like Dunsmore do not exist and by doing so seem to believe their problems will go away. HS2 Ltd has 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 settlement of Dunsmore, is detrimentally affected by the monstrous construction of two viaducts with heights ranging from 10 to 18 metres and the associated catenary above, and a huge embankment. This is undoubtedly the gravest section of the line in the Chilterns AONB. The gross nature of which has been underplayed by a succession of Transport Ministers. The line would be visible from many viewpoints around Dunsmore. The cumulative effect would be overpowering and would destroy what is a nationally protected landscape. The Dunsmore area and the AoNB will be irrevocably vandalised. The CPRE described this section of the proposed line as the “iconic scar on The Chilterns”.

Remedies

- In the light of all the issues above your Petitioner asserts that the only acceptable form of mitigation in this area would be a fully bored tunnel throughout the AoNB. HS2 Ltd. has acknowledged that this is technically feasible.

- Failing the above, the 2 viaducts and embankment should be totally
enclosed as per ARUP concept. Screening must be with mature trees.

- There should be a legally binding Code of Construction Practice.

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 petitioner proposes that a full length fully bored tunnel through the AONB and running to the North of Wendover is the only acceptable solution to all the construction and subsequent phase impacts. HS2 proposed 6 metre high noise barriers are totally and visually unacceptable anywhere but in particular lying as they do within the AONB.

3. 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

Rosamund Wood

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 Belinda Sharkey  

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 Bill for the proposed HS2 line both during construction and after completion.  

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

3. Your petitioner's concerns  

Your Petitioner is Belinda Sharkey (hereinafter referred to as the Petitioner), the owner of Wendover Lodge, Little London, Wendover, Aylesbury HP22 6QQ.  

Personally affected  

In summary your Petitioner will be injuriously affected by:—  

Reduction in the value of her property,  

Diminished amenity value,  

Inconceivable and intolerable visual and noise intrusion,  

A serious impact on the quality of her families life.  

N.B Her environment and her home will be permanently scarred. The very home they purchased because of the tranquility location and views, to raise their children.
Noise

Your petitioner has concerns with regards to matters of noise and vibration caused by the construction and operation of the high speed railway. Your petitioner is concerned as there appears to be no mechanism in the Bill to deliver a properly noise mitigated railway.

Your petitioner is concerned that the fundamental calculations needed for forecasting noise impacts, known as the Lowest Observed Adverse Effect Level (LOAEL) and Significant Observed Adverse Effect Level (SOAEL) have not been correctly identified and were set too high in the Environmental Statement, leading to material underestimation of the adverse noise and significant adverse noise impacts likely to arise from the high speed railway.

Your petitioner is concerned that the thresholds adopted in the Environmental Statement for noise limits were set above what the World Health Organisation considers acceptable. Your petitioner considers this issue is likely to become more pressing given the moves by the World Health Organisation to set new lower targets on the basis of the latest medical research on the impact of noise on human health.

Your petitioner is concerned that the specific Impacts of ground-borne noise have not been properly considered or explained to impacted rural communities.

Visual

The visual impact from the Petitioner's home will be completely ruined as it sits between the two 500 metre viaducts and across from the embankment.

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

Belinda Sharkey

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
Frank and Valerie Bretherton

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). The Bill for the proposed HS2 line will specially and directly affect them 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 prime concern is destruction and devastation caused to the Chiltern AONB. The area between Amersham and Wendover is one of the most beautiful and rich countrysides in the south of England. It is diverse in its features and attracts thousands of visitors each year. Putting HS2 through the middle is vandalistic and sets a dangerous precedent for other Protected Areas.

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 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

Frank Bretherton

Valerie Bretherton

April 2016
To the House of Lords
Session 2015-16

PETITION against the

High Speed Rail (London - West Midlands) Bill

THE PETITION OF

Ron and Jenny Smith

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 Chiltnrs Area of Outstanding Natural Beauty (AONB). The Bill for the proposed HS2 line will specially and directly affect them 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 prime concern is destruction and devastation caused to the Chiltern AONB. The area between Amersham and Wendover is one of the most beautiful and rich countrysides in the south of England. It is diverse in it's features and attracts thousands of visitors each year. Putting HS2 through the middle is vandalistic and sets a dangerous precedent for other Protected Areas.

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 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

Ron Smith  Jenny Smith

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). The Bill for the proposed HS2 line will specially and directly affect them 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' prime concern is destruction and devastation caused to the Chiltern AONB. The area between Amersham and Wendover is one of the most beautiful and rich countrysides in the south of England. It is diverse in its features and attracts thousands of visitors each year. Putting HS2 through the middle is vandalistic and sets a dangerous precedent for other Protected Areas.

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 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**

John Carroll  
Emma Carroll

**APRIL 2016**
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF
SUSAN AND STEPHEN HEWITT

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 prime concern is destruction and devastation caused to the Chiltern AONB. The area between Amersham is one of the most beautiful and rich countrysides in the south of England. It is diverse in its features and attracts thousands of visitors each year. Putting HS2 through the middle is vandalistic and sets a dangerous precedent for the future for other Protected Areas.

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 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

Stephen Hewitt

Susan Hewitt

APRIL 2016
PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Graham and Sara Dodd of 12 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 Coombe Avenue in the Parish of Wendover, 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 Petitioners are injuriously affected by the Bill, to which your Petitioners object for reasons, amongst others, hereinafter appearing.

3. Your petitioners’ 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 and possible closure of amenity;
- 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 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, which we use regularly. 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 petitioner remains, etc.

SIGNED:

Graham Sydney Dodd  Sara Ann Dodd

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 Anna Victoria Ellershaw of 22 Thornton Crescent, Wendover, Buckinghamshire, HP22 6DG

Declarations 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 and her son 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 of additional traffic on the local road network causing delays in travelling to work and accessing emergency services;
- the risk to her son whilst cycling due to the additional traffic;
- the impact on local services (e.g. Health Centre and schools);
- the loss of local amenities (such as the footpaths and skate park);
- 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;
- the noise, dirt, and dust which will aggravate her son’s asthma 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.

Wendover Community Petition against the High Speed Rail (London – West Midlands) Bill
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, sites that she and her son visit on many occasions. 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 ask 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.

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
THE FOLLOWING RESIDENTS OF WENDOVER PARISH

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<th>Name</th>
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<tr>
<td>Daniel Barnes</td>
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<td>Malcolm Card</td>
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The above Petitioners declare that:

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

2. Your petitioners

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 petitioners' 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 Wendover Dene 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 Peterson (Roll B Agent)

Date 17-04-16
To the House of Lords
Session 2015-16

PETITION against the

High Speed Rail (London - West Midlands) Bill

THE PETITION OF MR EDOARDO V. CAVALLO

Declares that:

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

2. Your petitioners

Your Petitioner is Mr Edoardo Cavallo resident at 2, Cobblers Hill Farm Cottages, Cobblers Hill, Great Missenden, Buckinghamshire HP16 9PW who the Bill will specially and directly affect, both during construction and after completion, by the proposed HS2 line. Your Petitioners 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.

3. Your Petitioner’s concerns

3.1. Tunnel throughout the Chilterns AONB

Your Petitioner as a resident of this part of the AONB is 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 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 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 - the precise reason for moving into this area in the first place.

Your petitioner is also seriously concerned about the disruptions and dangers to his or her 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 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 Great Missenden and Wendover, in particular, for travel to and from work and daughters school, 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.

3.2. Your Petitioner accordingly emphasises 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 Petitioner requests 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 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 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 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.

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 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 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 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.

Mr Edoardo V. Cavallo

14/04/16
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF CHARNDON PARISH COUNCIL

Declares that:

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

2. Your petitioner

The petitioner is Charndon Parish Council, hereinafter referred to as 'Your Petitioner' with responsibilities for land in the area affected by the Bill and represents residents in Charndon, School Hill and Calvert, in North Buckinghamshire.

The Parish of Charndon is close to the actual line of the railway but is not impacted by Scheduled Works that appear in Schedule 1 of the Bill. Scheduled Works 2/80 and 2/80A are in the Parish of Steeple Claydon; Work 2/80 terminates just metres from the Parish of Charndon but not in it, therefore under Standing Orders is not referred to in the Bill or the Notice. Nonetheless as there are three parcels of land affected the Parish does have land within the boundaries of the limits of land to be acquired used (LLAU).

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 other, hereinafter appearing.

The Parish, part of Community Forum 13, is located in a quiet rural setting. All properties within the Parish are within a mile of the proposed route, with those in Calvert, for whom Your Petitioner is responsible, approximately 112m to 140m away from it.

The small hamlet of Calvert is adjacent to the proposed High Speed line, and comprises approximately 40 dwellings. Your Petitioner's parish boundary is deemed to be the middle of the road in Brackley Lane in conjunction with those of Steeple Claydon and Calvert Green – which in effect means Charndon Parish begins approximately 117m from the line.

Charndon is an ancient village, mentioned in the Domesday Book. Many of its properties are situated along the line of the through road, with no footway providing protection from the proposed construction traffic. Calvert is a hamlet formed circa 1900 to provide homes for the newly opened Calvert Brickworks employees. All that remains now is Werner Terrace, comprising 19 properties in blocks of three, built c 1904, on slate, with no foundation, on Oxford clay, and Brackley Lane with its later terraced and semi-detached buildings, and the now derelict Methodist tabernacle – a prefabricated iron building of the type traditional with large construction sites at the turn of the 19thC. It is the oldest building in Calvert.
Your Petitioner’s Parish abuts the BBOWT 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 HS2 will be cutting across its eastern side, with the proposed major construction depot/IMO running along its north western edge. Wildfowl overwinter here, and it is home to bittern, nightingales and turtledoves among other important species.

A railway station was constructed in 1898 at Calvert, long since demolished, and this line is currently used solely for the delivery of material to the FCC landfill site. The site of Calvert Railway Station is now a valuable Local Wildlife Site (LWS).

3. Your petitioner’s concerns

Residential Blight and Environmental Destruction

As outlined in our introduction, Calvert is fortunate in having 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 to 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 about 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 (which the promoter prefers to use) 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. At a stroke, 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 the malodourous 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 fall-back position is as per the 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.

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 taken into account noise mitigation to the highest window of an affected dwelling; contrary to the promoter’s current practice.

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 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 HS2 Ltd. provide 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 parishioners will be subjected to. We request that this scheme be included for improvement as well.

Note:
We support the petitions of Calvert Green 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 Charndon Parish Council, 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

LESLEY MARION TAYLOR (AGENT)

On behalf of Charndon 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 MISS ELISABETTA H. CAVALLO

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

2. Your petitioners  
Your Petitioner is Miss Elisabetta Cavallo resident at 2, Cobblers Hill Farm Cottages, Cobblers Hill, Great Missenden, Buckinghamshire HP16 9PW who the Bill will specially and directly affect, both during construction and after completion, by the proposed HS2 line. Your Petitioner's 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.

3. Your Petitioner's concerns

3.1. Tunnel throughout the Chilterns AONB  
Your Petitioner as a resident of this part of the AONB is 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 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 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—the precise reason for moving into this area in the first place.

Your petitioner is also seriously concerned about the disruptions and dangers to his or her 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 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 Great Missenden and Wendover, in particular, for travel to and from work and daughters school, 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.

3.2. Your Petitioner accordingly emphasises 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 Petitioner requests 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 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 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 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.

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 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 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 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.

Miss Elisabetta H. Cavallo

14/04/16
To the House of Lords
Session 2015-16

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

THE PETITION OF MRS SARAH E. CAVALLO

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

2. Your petitioners
Your Petitioner is Mrs Sarah Cavallo resident at 2, Cobblers Hill Farm Cottages, Cobblers Hill, Great Missenden, Buckinghamshire HP16 9PW who the Bill will specially and directly affect, both during construction and after completion, by the proposed HS2 line. Your Petitioners 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.

3. Your Petitioner's concerns

3.1. Tunnel throughout the Chilterns AONB
Your Petitioner as a resident of this part of the AONB is 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 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 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- the precise reason for moving into this area in the first place.

Your petitioner is also seriously concerned about the disruptions and dangers to his or her 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 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 Great Missenden and Wendover, in particular, for travel to and from work and daughters school, 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.

3.2. Your Petitioner accordingly emphasises 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 Petitioner requests 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 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 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 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

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 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 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 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.

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

Mrs Sarah E. Cavallo

14/04/16
To the House of Lords  
Session 2015-16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF  PENELI"PE F. JONES  

Declarations that:  

1. The petitioner(s) is/are specially and directly adversely affected by the whole bill.  

2. Your petitioner(s) is/are  

PENELI"PE F. JONES owner of a Flat on the ground floor in Delancey Street, I am elderly and disabled and my living room window gives directly onto the street over a narrow pavement. The house is in a terrace of 1840’s linked dwellings with shallow foundations. Being over 80 I bought this property for a quiet retirement and easy access. This is now shattered. I have lived in the immediate area for over 50 years and do not want to leave.
3. Your petitioner's concerns are

- That increased HGV traffic will cause more pollution and noise. Already the pollution levels measured over the EU limits.

- That vibration from the above HGVs will impact on the structure of my property.

- That the HS2 works are so extensive they will impact on public transport, local and emergency services between Euston and Primrose Hill very adversely and so reduce considerably the quality of life for a huge number of residents and visitors for an extremely long period.

- I object on more general grounds to the HS2 scheme between Euston and Old Oak Common as a massive waste of money and cause of very disproportionate human suffering and disruption given the small benefits to the nation as a whole.
Your petitioner’s concerns are

- I request that if the scheme is to go ahead, residents have an independent adjudicator appointed to help us if HS2 fails to honour its promises.

- Also that residents affected get fair compensation.

- That no more open space should be removed from community use either permanently or temporarily.

- That all agencies and HS2 co-ordinate all civil works in the area during the construction period.

- The Select Committee should require the promoter to use rail to convey spoil and tunnelling materials.

- The Select Committee should require HS2 to install a translator between Euston and EUSTON SQUARE UNDERGROUND.

- It should also consider if this southern leg of HS2 is economically justified given the pressing immediate and future transport needs of the country as a whole and a Master Plan be drawn up to avoid waste of resources and confusion.

3, continued
Your petitioner's concerns are

- I ask the Select Committee to consider amending the Bill in accordance with the above complaints.
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...

Name:.................................................. Signature...

Name:.................................................. Signature...

Name:.................................................. Signature...
To the House of Lords  
Session 2015–16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF River Island Clothing Co. Limited  

Declarations that:  

1. The petitioner is specially and directly adversely affected by the proposed acquisition of its interests in land pursuant to the High Speed Rail (London – West Midlands) Bill’s (hereinafter referred to as “the Bill”) as follows:  
   a. Clause 1 (Power to construct and maintain works for Phase One of High Speed 2), Clause 2 (Further provision about works), Schedule 1 (Scheduled Works) and Schedule 2 (Works) (hereinafter referred to as “the Works Provisions”);  
   b. Clause 3 (Highways) and Schedule 4 (Part 4, Table 3; Area: London Borough of Ealing; Highway or part to be stopped up: West Gate) (hereinafter referred to as “the Stopping Up Provision”); and  
   c. Clause 4 (Power to acquire land compulsorily) and Schedule 5 (Area: London Borough of Ealing; Number of land shown on deposited plans: plots 456, 460 and AP4-1) (hereinafter referred to as “the Compulsory Purchase Provisions”).  

Your petitioner  

2. The petitioner is RIVER ISLAND CLOTHING CO. LIMITED (hereinafter referred to as “Your Petitioner”). Your Petitioner is an iconic fashion retailer. After Your Petitioner was formed by Bernard Lewis after World War 2, its growth led to the change of the brand from Lewis Separates to Chelsea Girl in 1965. Following the launch of the group’s first menswear store, Concept Man in 1982 and the launch of River Island in 1988, all Chelsea Girl and Concept Man stores were rebranded as River Island from 1991. Your Petitioner operates as a global clothing retailer with approximately 310 stores world-wide and 250 in the UK.  

3. Your Petitioner is part of the Lewis Trust Group, a large and wholly privately owned group. The group is involved in investment and development (through Westmark Investment Properties Limited and BC Chelsea Limited),
fashion retailing (through Your Petitioner's business, one of the leading fashion brands in Europe), fund management (Cavendish Asset Management), private equity investing and hospitality. Your Petitioner is owned within the Lewis Trust Group corporate structure.

4 Your Petitioner is the leasehold owner of land (hereinafter referred to as "the Property") comprising title numbers:

a. AGL295258, known as Chelsea House; this includes car parking surrounding that building; and

b. AGL361461, being part of the car parking surrounding a building known as West World (hereinafter referred to as "West World").

5 Your Petitioner's titles to the Property are within the common ownership of the Lewis Trust Group. Your Petitioner also has leasehold occupational interests in West World.

6 Your Petitioner has operated from and expanded its operations at Chelsea House since 1974. It currently employs approximately 1,000 permanent employees who work from Chelsea House as well as occupy in part West World. Occupation at Chelsea House has seen year on year increases in employees working at the headquarters with about a 60% increase in employees since 2007. Your Petitioner anticipates that over the next 2 years there will be a requirement for a further 30% growth on current numbers.

7 Your Petitioner as leaseholder of Chelsea House is the tenant pursuant to a lease of 20 years which commenced in September 2013 and expires in September 2033. Your Petitioner has occupied the Property since 1974. Your Petitioner has also occupied various multiple floors of West World since its construction in 1986. Your Petitioner as leaseholder of 200 parking spaces surrounding West World is the tenant pursuant to a lease which also expires in September 2033. Your Petitioner has occupied the car parking spaces since 1986.

8 This petition is submitted in objection to the Works Provisions, the Compulsory Purchase Provisions and the Stopping Up Provision because these injuriously affect Your Petitioner's rights, interests and property for reasons amongst others, hereinafter appearing.

The Works

9 When the original Bill was introduced in the House of Commons on 23 November 2013 (hereinafter referred to as "the Original Bill"), it sought the compulsory acquisition of:
a. the entrance to a car park located to the east of West World owned by Westmark Investment Properties Ltd (hereinafter referred to as "Westmark") and leased to Your Petitioner as well as other tenants;

b. land immediately to the west of the West World building to facilitate works to the Thames Water Sewer – this also includes land owned by Westmark;

c. the entrance to the West World Car park to the west of West World;

and

d. the entrance to Chelsea House.

10 When the Original Bill was amended in October 2015 by Additional Provision 4 (hereinafter referred to as "AP4"), it additionally sought to authorise the compulsory acquisition of a significant area of car parking owned by Westmark and leased to Your Petitioner and tenants of West World as well as other interests.

11 Your Petitioner petitioned the House of Commons in objection to AP4, appearing before the Commons Select Committee on 25 January 2016. AP4 was incorporated by the House of Commons into the Bill now before the House of Lords, as included within the Compulsory Purchase Provisions to which Your Petitioner objects for the following reasons.

Impacts on Your Petitioner

12 Plot 460 shown on Sheet 1-21(DWg No. C221-MMD-HY-DPL-010-102100) is the only vehicular entrance to the Property. The proposed freehold acquisition of this land by the Promoter will sever the Property (consequent of the undertaking of works proposed to be authorised by the Works Provisions) and render the business operated from it by Your Petitioner extinguished.

13 Your Petitioner raises the following issues with regard to the impact of the Compulsory Purchase Provisions on the Property:-

a. The impact on Your Petitioner has arisen due to the proposed relocation of the West Gate ventilation shaft. This was to be located on the site of an existing builder's merchants to the south of West Gate and opposite the West World building. It is now proposed to be located on the site of an existing car park to the west of the Manhattan Business Park. That would result in the permanent loss of car parking at that location. That car parking is proposed to be
replaced. It would be replaced by constructing a two-level multi-
storey car park on the car park to the north and east of West World.
Use of this car park (which is owned by Westmark) for surface car
parking in planning terms is authorised pursuant to a Certificate of
Existing Lawful Development. The revised Environmental Statement
issued by the Promoter for the works indicates that it was not
considered necessary to make changes that require a reassessment of
the environmental effects on matters including socio-economics. No
balance has been undertaken by the Promoter to assess the impact
on the loss of the builder's merchants (which Your Petitioner
understands is no longer being promoted under the Bill) as against
the impact of the new proposal which will remove an essential
parking facility. This could create severance to adjoining interests
including the threat to the continued operation of Your Petitioner's
business interests.

b. The car park surrounding West World is occupied by River Island as
well as a number of tenants of West World who are dependent on car
parking for their occupation.

c. The dependency on car parking is significant in this area. As already
noted River Island has approximately 1,000 employees working from
Chelsea House. In addition there are contract workers and sub-
contractors as well as a high level of visitors including fashion
designers and buyers.

d. As a sustainable business River Island has a green travel plan which
strives to achieve a continuous improvement in objectives. Since
2007 River Island's initiatives have resulted in:
  • single occupancy car journeys reducing from 65% to 51%;
  • cycling being up from 1% to 5%; and
  • public or self-powered commuting increasing from 29% to
    41%.

That being so, the dependency on the car park is high and the car
park used by River Island as well as other occupiers including
Mercedes-Benz and other occupiers to the rear and east of West
World is used by approximately 190 vehicles.

e. A number of employees work unconventional hours and the safety of
staff is paramount. The existing security in place to reach the nearby
Hangar Lane underground station has to be supplemented with the
establishment of walking groups and Security escorted journeys to
the Hanger Lane tube station and bus stops for out of hours'
employees. There is insufficient information from the Promoter on
the impacts that the proposed works will have on pedestrian routes
to and from Hangar Lane. As the existing builder's merchants' lorries
park on Westgate any further construction traffic would increase
safety concerns through additional HGV movements.

f. No analysis has been undertaken by the Promoter on the impact of
the land proposed to be acquired comprised in the Compulsory
Purchase Provisions will have on Your Petitioner for the following
reasons:

i. There is no detail of how construction of a car park would be
undertaken and the periods within which possession, even on
a temporary basis, would be required. Your Petitioner will
need to review whether the lack of car parking renders its
current occupation unsustainable arising from the severance
created.

ii. This is considered to be a socio-economic impact which the
Promoter has not addressed. Further as the Promoter is
proposing permanent acquisition of this land there is no
mechanism as to whether the land would be returned to
Westmark and on what basis or for its ongoing management.

iii. There will be additional works required to construct a car park
and the impacts during construction on the occupiers of West
World and Chelsea House have not been addressed nor
outlined to Your Petitioner. Such construction works for a car
park will be closer to West World than the original location for
the vent shaft. However it is noted that the updated
Environmental Statement states that:

“4.1.132 Temporary significant construction noise effects that
were identified in the main ES on a reasonable worst-case basis
at the following non-residential receptors are no longer likely:
• Commercial operations in Westworld, West Gate, London W5
1EL (CSV05-No4, assessment location 494242)”

iv. West Gate is the only route for deliveries and access to Chelsea
House and West World. It is also the only emergency access
route. The Bill (as amended by AP4) proposes a longer
construction route encroaching further into West Gate to reach
the proposed relocated vent shaft. This has the potential to
provide direct conflict with deliveries into Chelsea House which have not been assessed. The compulsory acquisition of the highway known as West Gate as well as Schedule 4 to the Bill which, if enacted, would permit the temporary stopping up of highway, pursuant to the Stopping Up Provision, could lead to the inability to access Chelsea House and cause them to cease operations.

v. There are three abstract and three rejection boreholes that provide free cooling to Chelsea House at the rear of the building within the car park. The Promoter has not undertaken any assessment as to the impacts that any underground works for the ventilation shaft would have on these and the need to mitigate against the contamination of water supply. Without this it could result in a loss of this system or additional operational and maintenance issues and costs.

14 Your Petitioner further submits, as Your Petitioner submitted to the House of Commons Select Committee in Committee on 25 January 2016, that the Promoter has not demonstrated a need to compulsorily acquire Your Petitioner’s land pursuant to the Compulsory Purchase Provisions. The Promoter issued a Technical Note on its case for introducing AP4 on 16 October 2015 (and which post-dated the publication of AP4). This document (reference C221-MMD-CV-NOT-010-400000) does not demonstrate the need for the acquisition of plot AP4-1. To establish and evidence that need, the Promoter undertook (following Your Petitioner’s submissions to the House of Commons Select Committee) to carry out a car parking feasibility study (hereinafter referred to as ‘the Feasibility Study’). However, the Feasibility Study has yet to commence, despite the Promoter’s agreement that it would be completed by May 2016. This is explained at paragraph 202 of the House of Commons Select Committee Report (22 February 2016), as follows:

‘The River Island clothing company has business premises in Ealing. AP4 gives the Promoter powers to put car parking facilities onto that land to accommodate car parking space displaced by construction works on the Westgate vent shaft. River Island objected, saying that, whereas the displaced car parking could be the subject of monetary compensation, the effect on their business would be unquantifiable and could reduce their ability to expand. The Promoter agreed to commission a review of requirements and options which will report by May 2016, and which will include examination of access issues. If the study finds that there remains a need for the Promoter to use River Island premises, the Promoter should minimise the duration and extent of intrusion onto the premises of this successful business. We are pleased that the Promoter
has agreed to seek to avoid any permanent acquisition. An agreement between
the parties provides a dispute resolution procedure. The petitioner will be free to
appear before the House of Lords select committee if necessary."

15 The Promoter needs to undertake this assessment having regard to both the
current and any known future occupation and uses on the Promoter's land
as well as the land comprised within plots AP4-9 and AP4-12.

16 In any event Your Petitioner submits that there is no justification for
acquisition of Your Petitioner's tenant's land in AP4-1 as an accommodation
work when compensation for the relevant owner's interest being displaced
for the ventilation shaft would be adequate.

17 In October 2000 planning permission was secured for the car park area
included with the land proposed for the Compulsory Purchase Provisions.
This outline planning permission (P/1997/2710) provided for up to 12,077
sqm gross office floor space limited to 5 stories and up to 257 car parking
spaces. This principle of development of the site will be lost by any
proposed permanent construction of a multi-storey car park on the land
over the land outlined to now be acquired. The Lewis Trust Group is
proposing to accommodate future expansion of River Island on land
surrounding West World which will no longer be possible because of the
land proposed for acquisition in the Compulsory Purchase Provisions. That
planning permission also provided for a link road through to Quill Street
which if implemented would have reduced the impacts on West Gate which
will now be exacerbated by additional traffic caused by HS2. Counsel for
the Promoter indicated in the House of Commons Select Committee that
the Promoter could look to provide assistance to Your Petitioner in seeking
a practical solution on this alternative access issue through meaningful
discussions. Those discussions have yet to conclude. River Island has one
of the largest fashion design studios in the UK. The product and design
teams need to be co-located. The proposed expansion plans would include
large floor plates which are naturally lit, key space requirements for the
intended use. Your Petitioner considers that it is important to retain River
Island's operation in its current location which is a large employer in Ealing.

Requested undertakings

18 Your Petitioner objects to the acquisition of its interests and respectfully
submits that the Compulsory Purchase Provisions which affect Your Petitioner
should not be passed into law. The Promoter should be seeking to
reconfigure the space required and location for its ventilation shaft so as to
avoid any impact on Your Petitioner's occupation of plot AP4-1. Your
Petitioner seeks an undertaking from the Promoter that it will no longer seek
compulsory acquisition powers from Your Petitioner's interests.
19 In any event the Bill as proposed even without the Compulsory Purchase Provisions on plot AP4-1 would provide for the compulsory acquisition of the entrance to Chelsea House and render it severed and the business extinguished. No undertaking could overcome this issue unless the Promoter will maintain access to the Property at all times when the Petitioner requires access for operational purposes.

20 Irrespective of whether the Compulsory Purchase Provisions are contained within the Bill, the temporary stopping up of Westgate pursuant to the Stopping Up Provision and/or the use of Westgate for construction traffic renders the existing users interests injuriously affected and undertakings need to be agreed with Your Petitioner so as to enable access over Westgate with no less commodious arrangements as currently exist and which benefit Your Petitioner.

21 Your Petitioner respectfully submits that, unless the Bill is amended as proposed above, those clauses seeking to authorise compulsory acquisition together with the deposited plans so far affecting Your Petitioner, should not be allowed to pass into law.

Conclusion

22 Your Petitioner submits that the Bill fails to safeguard and protect the interests of Your Petitioner and should not be allowed to pass into law without these issues mentioned above being addressed.
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 by Jonathan Bower of Bond Dickinson LLP as Agent for your Petitioner

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

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF BC Chelsea Limited

Declares that:

1 The petitioner is specially and directly adversely affected by the proposed acquisition of its interests in land pursuant to the High Speed Rail (London – West Midlands) Bill's (hereinafter referred to as "the Bill") as follows:

   a. Clause 1 (Power to construct and maintain works for Phase One of High Speed 2), Clause 2 (Further provision about works), Schedule 1 (Scheduled Works) and Schedule 2 (Works) (hereinafter referred to as "the Works Provisions");

   b. Clause 3 (Highways) and Schedule 4 (Part 4, Table 3; Area: London Borough of Ealing; Highway or part to be stopped up: West Gate) (hereinafter referred to as "the Stopping Up Provision"); and

   c. Clause 4 (Power to acquire land compulsorily) and Schedule 5 (Area: London Borough of Ealing; Number of land shown on deposited plans: plot 460) (hereinafter referred to as "the Compulsory Purchase Provisions").

Your petitioner

2 The petitioner is BC CHELSEA LIMITED (hereinafter referred to as "Your Petitioner").

3 Your Petitioner is part of the Lewis Trust Group, a large and wholly privately owned group. The group is involved in investment and development (through Westmark Investment Properties Limited and Your Petitioner), fashion retailing (through River Island, one of the leading fashion brands in Europe), fund management (Cavendish Asset Management), private equity investing and hospitality. Your Petitioner is owned within the Lewis Trust Group corporate structure and is an asset owning company as part of the Lewis Trust Group.

4 Your Petitioner is the freehold owner of land comprising title number MX
305452 known as Land and buildings on the north side of Westgate comprising a building known as Chelsea House and car parking surrounding (hereinafter referred to as "the Property"). Your Petitioner's title to the Property is within the common ownership of the Lewis Trust Group.

5 Your Petitioner as freeholder of the Property holds the reversionary interest in a lease of 20 years which commenced in September 2013 and expires in September 2033. The tenant of that lease is River Island Clothing Co. Ltd.

6 This petition is submitted in objection to the Works Provisions, the Compulsory Purchase Provisions and the Stopping Up Provision because these injuriously affect Your Petitioner's rights, interests and property for reasons amongst others, hereinafter appearing.

The Works

7 When the original Bill was introduced in the House of Commons on 23 November 2013 (hereinafter referred to as "the Original Bill"), it sought the compulsory acquisition of:

   a. the entrance to a car park located to the east of a building known as West World (hereinafter referred to as "West World") owned by Westmark Investment Properties Ltd (hereinafter referred to as "Westmark") and leased to Your Petitioner's tenant River Island as well as other tenants;

   b. land immediately to the west of the West World building to facilitate works to the Thames Water Sewer – this also includes land owned by Westmark;

   c. the entrance to the West World Car park to the west of West World; and

   d. the entrance to Chelsea House.

8 When the Original Bill was amended in October 2015 by Additional Provision 4 (hereinafter referred to as "AP4"), it additionally sought to authorise the compulsory acquisition of a significant area of car parking owned by Westmark and leased to River Island and tenants of West World as well as other interests.

9 Your Petitioner petitioned the House of Commons in objection to AP4, appearing before the Commons Select Committee on 25 January 2016. AP4 was incorporated by the House of Commons into the Bill now before the House of Lords, as included within the Compulsory Purchase Provisions to
which Your Petitioner objects for the following reasons.

**Impacts on Your Petitioner**

10 Plot 460 shown on Sheet 1-21 (DWg No. C221-MMD-HY-DPL-010-102100) is the only vehicular entrance to the Property. The proposed freehold acquisition of this land by the Promoter will sever the Property (consequent of the undertaking of works proposed to be authorised by the Works Provisions) and render the business operated from it by Your Petitioner’s tenant River Island extinguished.

11 Your Petitioner raises the following issues with regard to the impact of the Compulsory Purchase Provisions on the Property:

a. The impact on Your Petitioner has arisen due to the proposed relocation of the West Gate ventilation shaft. This was to be located on the site of an existing builder’s merchants to the south of West Gate and opposite the West World building. It is now proposed to be located on the site of an existing car park to the west of the Manhattan Business Park. That would result in the permanent loss of car parking at that location. That car parking is proposed to be replaced. It would be replaced by constructing a two-level multi-storey car park on the car park to the north and east of West World. Use of this car park (which is owned by Westmark) for surface car parking in planning terms is authorised pursuant to a Certificate of Existing Lawful Development. The revised Environmental Statement issued by the Promoter for the works indicates that it was not considered necessary to make changes that require a reassessment of the environmental effects on matters including socio-economics. No balance has been undertaken by the Promoter to assess the impact on the loss of the builder’s merchants (which Your Petitioner understands is no longer being promoted under the Bill) as against the impact of the new proposal which will remove an essential parking facility. This could create severance to adjoining interests including the threat to the continued operation of Your Petitioner’s business interests.

b. The car park surrounding West World is occupied by River Island as well as a number of tenants of West World who are dependent on car parking for their occupation.

c. The dependency on car parking is significant in this area. River Island has approximately 1,000 employees working from Chelsea House. In addition there are contract workers and sub-contractors as well as a high level of visitors including fashion designers and buyers.
d. As a sustainable business River Island has a green travel plan which strives to achieve a continuous improvement in objectives. Since 2007 River Island’s initiatives have resulted in:

- single occupancy car journeys reducing from 65% to 51%;
- cycling being up from 1% to 5%; and
- public or self-powered commuting increasing from 29% to 41%.

That being so, the dependency on the car park is high and the car park used by River Island as well as other occupiers including Mercedes-Benz and other occupiers to the rear and east of West World is used by approximately 190 vehicles.

e. A number of employees work unconventional hours and the safety of staff is paramount. The existing security in place to reach the nearby Hangar Lane underground station has to be supplemented with the establishment of walking groups and Security escorted journeys to the Hanger Lane tube station and bus stops for out of hours’ employees. There is insufficient information from the Promoter on the impacts that the proposed works will have on pedestrian routes to and from Hangar Lane. As the existing builder’s merchants’ lorries park on Westgate any further construction traffic would increase safety concerns through additional HGV movements.

f. No analysis has been undertaken by the Promoter on the impact of the land proposed to be acquired comprised in the Compulsory Purchase Provisions will have on Your Petitioner for the following reasons:

i. There is no detail of how construction of a car park would be undertaken and the periods within which possession, even on a temporary basis, would be required. Your Petitioner will need to review whether the lack of car parking renders its current occupation unsustainable arising from the severance created.

ii. This is considered to be a socio-economic impact which the Promoter has not addressed. Further as the Promoter is proposing permanent acquisition of this land there is no mechanism as to whether the land would be returned to Westmark and on what basis or for its ongoing management.
iii. There will be additional works required to construct a car park and the impacts during construction on the occupiers of West World and Chelsea House have not been addressed nor outlined to Your Petitioner. Such construction works for a car park will be closer to West World than the original location for the vent shaft. However it is noted that the updated Environmental Statement states that:

"4.1.132 Temporary significant construction noise effects that were identified in the main ES on a reasonable worst-case basis at the following non-residential receptors are no longer likely:
• Commercial operations in Westworld, West Gate, London W5 1EL (CSV05-No4, assessment location 494242)"

iv. West Gate is the only route for deliveries and access to Chelsea House and West World. It is also the only emergency access route. The Bill (as amended by AP4) proposes a longer construction route encroaching further into West Gate to reach the proposed relocated vent shaft. This has the potential to provide direct conflict with deliveries into Chelsea House which have not been assessed. The compulsory acquisition of the highway known as West Gate as well as Schedule 4 to the Bill which, if enacted, would permit the temporary stopping up of highway, pursuant to the Stopping Up Provision, could lead to the inability to access Chelsea House and cause them to cease operations.

v. There are three abstract and three rejection boreholes that provide free cooling to Chelsea House at the rear of the building within the car park. The Promoter has not undertaken any assessment as to the impacts that any underground works for the ventilation shaft would have on these and the need to mitigate against the contamination of water supply. Without this it could result in a loss of this system or additional operational and maintenance issues and costs.

Your Petitioner further submits, as Your Petitioner submitted to the House of Commons Select Committee in Committee on 25 January 2016, that the Promoter has not demonstrated a need to compulsorily acquire Your Petitioner’s land pursuant to the Compulsory Purchase Provisions. The Promoter issued a Technical Note on its case for introducing AP4 on 16 October 2015 (and which post-dated the publication of AP4). This document (reference C221-MMD-CV-NOT-010-400000) does not demonstrate the need for the acquisition of plot AP4-1. To establish and
evidence that need, the Promoter undertook (following Your Petitioner's submissions to the House of Commons Select Committee) to carry out a car parking feasibility study (hereinafter referred to as "the Feasibility Study"). However, the Feasibility Study has yet to commence, despite the Promoter's agreement that it would be completed by May 2016. This is explained at paragraph 202 of the House of Commons Select Committee Report (22 February 2016), as follows:

"The River Island clothing company has business premises in Ealing. AP4 gives the Promoter powers to put car parking facilities onto that land to accommodate car parking space displaced by construction works on the Westgate vent shaft. River Island objected, saying that, whereas the displaced car parking could be the subject of monetary compensation, the effect on their business would be unquantifiable and could reduce their ability to expand. The Promoter agreed to commission a review of requirements and options which will report by May 2016, and which will include examination of access issues. If the study finds that there remains a need for the Promoter to use River Island premises, the Promoter should minimise the duration and extent of intrusion onto the premises of this successful business. We are pleased that the Promoter has agreed to seek to avoid any permanent acquisition. An agreement between the parties provides a dispute resolution procedure. The petitioner will be free to appear before the House of Lords select committee if necessary."

13 The Promoter needs to undertake this assessment having regard to both the current and any known future occupation and uses on the Promoter's land as well as the land comprised within plots AP4-9 and AP4-12.

14 In any event Your Petitioner submits that there is no justification for acquisition of Your Petitioner's leasehold interest in plot AP4-1 as an accommodation work when compensation for the relevant owner's interest being displaced for the ventilation shaft would be adequate.

15 In October 2000 planning permission was secured for the car park area included with the land proposed for the Compulsory Purchase Provisions. This outline planning permission (P/1997/2710) provided for up to 12,077 sqm gross office floor space limited to 5 stories and up to 257 car parking spaces. This principle of development of the site will be lost by any proposed permanent construction of a multi-storey car park on the land over the land outlined to now be acquired. The Lewis Trust Group is proposing to accommodate future expansion of River Island on land surrounding West World which will no longer be possible because of the land proposed for acquisition in the Compulsory Purchase Provisions. That planning permission also provided for a link road through to Quill Street which if implemented would have reduced the impacts on West Gate which
will now be exacerbated by additional traffic caused by HS2. Counsel for the Promoter indicated in the House of Commons Select Committee that the Promoter could look to provide assistance to Your Petitioner in seeking a practical solution on this alternative access issue through meaningful discussions. Those discussions have yet to conclude. River Island has one of the largest fashion design studios in the UK. The product and design teams need to be co-located. The proposed expansion plans would include large floor plates which are naturally lit, key space requirements for the intended use. Your Petitioner considers that it is important to retain River Island’s operation in its current location which is a large employer in Ealing.

Requested Undertakings

16 Your Petitioner objects to the acquisition of its interests and respectfully submits that the Compulsory Purchase Provisions which affect Your Petitioner should not be passed into law. The Promoter should be seeking to reconfigure the space required and location for its ventilation shaft so as to avoid any impact on Your Petitioner’s tenant’s occupation of plot AP4-1. Your Petitioner seeks an undertaking from the Promoter that it will no longer seek compulsory acquisition powers from Your Petitioner’s interests.

17 In any event the Bill as proposed even without the Compulsory Purchase Provisions on plot AP4-1 would provide for the compulsory acquisition of the entrance to Chelsea House and render it severed and the business extinguished. No undertaking could overcome this issue unless the Promoter will maintain access to the Property at all times when the Petitioner requires access for operational purposes.

18 Irrespective of whether the Compulsory Purchase Provisions are contained within the Bill, the temporary stopping up of Westgate pursuant to the Stopping Up Provision and/or the use of Westgate for construction traffic renders the existing users interests injuriously affected and undertakings need to be agreed with Your Petitioners so as to enable access over Westgate with no less commodious arrangements as currently exist and which benefit Your Petitioner.

19 Your Petitioner respectfully submits that, unless the Bill is amended as proposed above, those clauses seeking to authorise compulsory acquisition together with the deposited plans so far affecting Your Petitioner, should not be allowed to pass into law.

Conclusion

20 Your Petitioner submits that the Bill fails to safeguard and protect the interests of Your Petitioner and should not be allowed to pass into law without these
issues mentioned above being addressed.
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 by Jonathan Bower of Bond Dickinson LLP as Agent for your Petitioner

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 residents of Kings Ash, Buckinghamshire

Declarations that:
1. The petitioners ('Your Petitioners') are specially and directly adversely affected by the whole Bill

2. Your petitioners
Your Petitioners are, Caroline Bonham and Stephen Jones, residents at Kings Ash Barn, Kings Ash, Great Missenden, Bucks, HP16 9NP, who 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 Petitioners as a 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 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 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.

Your petitioners are also seriously concerned about the disruptions to their household which will result from the construction of the line. Your petitioners are entering into a retirement period of their lives in several years time and moved to the area for the lifestyle, walks, natural environment and enjoyment of the countryside. This enjoyment will be seriously effected by disruption, noise, dust, hours of work and traffic movement during the extensive period of construction. Your petitioners currently need to use the narrow lanes and roads for access to the best routes to work, which will be affected by the construction of the proposed line. Your petitioners also use the roads for access to Great Missenden and Wendover, 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.

3.2. Your Petitioner accordingly emphasises 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
Petitioner requests 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 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 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.

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 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,
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 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 petitioners remain etc..

CAROLINE BONHAM

STEPHEN JONES

Date: 

[Signature]
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Berenice Cakebread and Sally Cakebread

Declarations that:

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

2. Your petitioners

The petitioners are home owners and long-term residents (over 50 years) at Savay Farm, which is a working arable farm of circa 45 acres situated in the Colne Valley. It is in Denham within the M25 and situated off the road which heads from Denham to Harefield. The petitioners live in a grade 1 listed manor house which is 850 years old and was the former home of Sir Oswald Mosley. The house is not currently open to the public but may be in the future. As well as the grade 1 listed manor house there are 2 grade 2 listed 16th century old tithe barns (converted into 5 houses), one grade 2 listed cottage and 3 grade 1 listed flats plus another cottage on the farm which are not not owned by the petitioners, plus another cottage that is. There is a grade 2 listed bridge over the river Colne. The Petitioners’ property would be specially and directly affected by the Bill. The Petitioner Sally Cakebread has lived at Savay Farm all her life. She lives there with her mother Berenice Cakebread (Petitioner) who has been there since the late 1950s and her daughter aged 13. The farm runs along the west bank of the river Colne. The proposed Colne Valley viaduct is less than 300 metres from our Farm and just over 300 metres from our house. The Petitioners and their rights (which include extensive fishing rights in the River Colne over c. 1 mile, interests and property are injuriously affected by the Bill, to which your Petitioner object for reasons amongst others, hereinafter appearing.

TUNNEL

The Petitioners wish to argue for changes to the route that are within what could be described as the broad alignment of the route.

The current proposed route would have a direct and special effect on Savay Farm, its occupants and its place as one of the Nation’s heritage assets.
3. Your petitioner's concerns

I. Damage to significant heritage asset

HISTORICAL SIGNIFICANCE

GRADE I LISTING

- Out of 376,075 listed buildings in England (figures provided by English Heritage on 20.2.15) there are 9,325 grade I listed buildings. Within Greater London there are 594 grade I listed buildings. Grade I makes up less than 2.5% of listed buildings.
- Savay Farm is a rarity, as a grade I manor house inside the M25 and as such needs protecting.
- As a grade I listed building, Savay Farm is considered of exceptional interest, sometimes considered to be internationally important.
- In listing it is ranked with Hever Castle, Dover Castle, Highclere Castle and Castle Howard which are also grade I listed by English Heritage. Would you be happy to allow a massive concrete and steel viaduct to go within 300 metres of these old buildings?
- Savay Farm is "acknowledged as one of the oldest Manor Houses in the country, an exceptional example of medieval architecture" (Country Life). It was built around 1130 - 1150 so is at least 850 years old. According to an article in The Citizen of Sep 6th 1933 "The house itself is probably the oldest still inhabited in this country." Also "The building is of especial interest" said the Royal Commissioners on Historical Monuments, "as a very fine specimen of a medieval timber-framed house."
- Described in the auction particulars from 1945 as "one of the finest examples of medieval domestic architecture in the Home Counties."
- King Henry VIII used Savay Farm as a hunting lodge and used to hunt on Hogland, the land towards Harefield where there was excellent hunting in the Colne Valley.
- HS2 claimed in its literature that it had sought to avoid heritage assets but this is clearly not the case as I believe Savay Farm is the only grade I house in the Colne Valley.
- Savay Farm has a well-preserved minstrel's gallery and it is one of only 5 houses in England with this feature.
- It has a fascinating history. Therefore it needs preserving. This means that its appearance from all angles should be preserved, and crucially its unique setting. It is a house of great beauty and presence. Views from the house would be destroyed to the north were a train line to be put there. Views of the house from across the lake would vanish. Our quiet enjoyment of our home would be seriously compromised.
HISTORIC ENGLAND

Savay Farm a grade I listed manor house and former home of Sir Oswald Mosley which has stood for 850 years would have its setting damaged in perpetuity. The viaduct is only 300 metres from our home. The sound damage which falls in highest zone plus appearance of a concrete and steel viaduct alongside a beautiful medieval manor would destroy our home probably making it uninhabitable as to lose our idyllic rural setting would be heartbreaking. As our house is grade I listed we are not allowed to install sound proofing.

Law
I have been advised by Dr Andrew Brown Planning Director at Historic England that existing law puts a duty on decision-makers to have ‘special regard for the desirability of preserving the building and its setting’. HS2 is contravening this law by locating the viaduct so close to Savay Farm. It blatantly did this whilst claiming in its documents that the route avoided heritage assets in the Colne Valley. Savay Farm is the only grade I building in the area so why put a viaduct next to it?

Historic England's description of the house and statement ref HS2

"C14 hall house altered. First floor inserted C16. Timber frame and red brick nogging with old tile roof. H-plan. Two storeys. Windows, modern leaded lights. C15 door with battens and strap hinges. Late C14 south-west gable oversailing on brackets and exposed corbels, tympanum cement rendered with exposed timbers. North-west modern wing similar but not oversailing. Interior: C16 mural achievement in south half of hall; first floor has two 4-centred arches at head of north-east staircase, tie-beam and king post in south-west room; murals over south-west part of further hall, dated 1606 representing second chapter of Exodus with characters in Jacobean costume. A few pieces of old stained glass set in windows. Three cast iron firebacks, 2 C16 (one dated 1558) and one Carolean. On left-hand one-storey building extends from front. Stock brick; old tile roof; open end nearest to house, opening filled with 4 wooden Roman Doric columns, entablature. Inside along back wall timber gallery. RCHM I, pp 116-118; VCH III, p256.

"This is based on an account in the Royal Commission for Historic Monuments Inventory for Buckinghamshire Volume 1, a copy of which I have attached. Briefly in our view Savay Farm is of very high significance as a fine, well preserved and example of a 14th century manor house. Domestic buildings of the 14th century are very rare and to find one this complete is exceptional. The connection with Oswald Mosley adds an extra dimension to the historical interest of the building given that he was an important figure in the 1930s. The setting of Savay Farm has greatly changed in recent years, with the digging of gravel pits and the construction of railways and motorways. It therefore does not have the same rural context and tranquil setting as when built, or even when Mosley drilled his Black Shirts in the garden. However, enough of a rural setting remains for the building to still be understood as a country house, which is an important aspect of understanding both its original context as a medieval manor house and its role as Mosley’s residence. The presence of HS2 on a high level viaduct and the associated noise would further compromise the rural setting of the house and thus its significance.
as a whole. Consequently our advice to Government has been that HS2 would harm to
the significance of this building.

Limited measures to sound proof the house are likely to be possible. For instance it
would probably be possible to fit secondary glazing to the inside faces of the windows in
order to limit noise. If there are open roof spaces it may also be possible to fit some
acoustic insulation in these, though I could not advise in any detail without visiting. It is
unlikely that we would consider more dramatic sound attenuation measures, such as
fitting acoustic insulation to historic wall surfaces, acceptable. We do not consider it
likely that HS2 is likely to threaten the structural integrity of the house given the degree
of separation."

Richard Peats | Inspector of Historic Buildings and Areas

STONE CIRCLE

- Beneath the soil in the field by our house and protected by English Heritage as
  an ancient monument is a worshipping circle, which is used at solstices for
  worship. In Knight Frank Rutley's particulars for Savay Farm 1945 it read "some
  ancient sarson or saracen stones are incorporated in the foundations of the
  Tudor wing of the house, and also in a waterfall in the grounds. Originally these
  formed part of a Stone Circle of which the site adjoining the house is still visible.
  The Stones were brought from the same quarries that supplied Stonehenge and
  other Ancient Circles."
- Geo-physics are going to take place on the site to determine what is
  underground exactly.
- Stonehenge is getting a road tunnel. It is the Petitioner's belief that the Colne
  Valley should get a tunnel to.

MOSLEY FAMILY OCCUPATION

- Sir Oswald Mosley and his first wife Cynthia Mosley lived at Savay Farm (or
  Savehay Farm as it was then known) in the early twentieth century. She died
  tragically in 1933 and was buried in the wood where a sunken garden was
designed by Lutyens (see map). Her grave was dug up by kids in the 1960s and
she was re-buried in Denham village. Cynthia Mosley loved the peace of the
wood and its bluebells. Now the proposed viaduct runs within 250 meters of
this ancient wood which I have maps to show is an ancient wood and over 500
years old (see map of Denham ancient woodland)
- In Knight Frank Rutley's particulars for Savay Farm 1945 it read "some ancient
  sarson or saracen stones are incorporated in the foundations of the Tudor wing
  of the house, and also in a waterfall in the grounds. Originally these formed part
  of a Stone Circle of which the site adjoining the house is still visible.
- Sir Oswald Mosley and his family lived at Savay Farm in the early twentieth
century. Although to the majority his politics are deplorable, he is still a
significant figure in British history and will remain so in the future. His son Nicholas Mosley has written movingly of Savehay Farm (as it was then called) and the Mosley’s occupation, although short, was filled with great activity and they have left a fascinating mark on the house in the cellar.

**LUTYENS TOMB IN COPSE BY RIVER COLNE**

The Gloucester Citizen newspaper reported on 5 September 1933 re Lady Cynthia Mosley’s tomb as follows - "work has been started what will be one of the most remarkable memorials (to a private person ever built in this country." It goes on "There is no more perfect setting for the resting place of his beloved wife could be chosen by Sir Oswald than this the most perfect example of architecture of a bygone age, utterly unspoiled, with only a small part of it indicating a modern taste in homes."

2 **Removal of opportunities for developing property’s potential in perpetuity**

- Should the proposed viaduct be built it removes opportunities for us to develop our property in perpetuity. There are opportunities for leisure, with boating, fishing etc in the river plus leisure pursuits in the woodland. Loss of glamping, camping, lodges etc.
- Loss of enjoyment of leisure activities due to noise - canoeing; sunbathing, swimming, fishing
- Loss of potential income

**FARMING**

- Mr Frank Cakebread (late husband of Mrs Berenice Cakebread) bought Savay Farm in 1946. He tried many different types of farming at Savay Farm.
- In the 1950s and 60s he had cows and pigs and later went on to battery hens in the 1970s when we farmed 30,000 hens and sold the eggs on-site.
- He had to stop farming eggs due to French eggs coming into the country.
- As with all other farmers we must seek to diversify. At present we grow maize for cattle fodder on about 30 acres of land.
- In the future we would expect leisure potential to be an important opportunity for diversification. Lodges could be built on the land. There could be glamping. We own the riparian rights along the river Colne from Green Bridge to the Railway bridge (see map), the river bed, one island near Green Bridge and all fishing rights. Such leisure facilities - fishing, boating, flying, glamping, camping, will be lost in perpetuity from our estate. HS2 has not offered to compensate us for the loss of all leisure facilities. Should the HS2 Colne Valley Viaduct be built this would constitute loss of our livelihood.
Note from Mrs Berenice Cakebread, resident at Savay Farm since 1958
"When my husband Frank Cakebread wanted to buy Savay Farm the house was
occupied by the Army as it had been requisitioned. He told me that because the work
was secret he was only permitted to look at three rooms in the house. The billiard
room was full of telephones. Apparently the work was connected to chemical warfare
and unfortunately two Canadian men were killed in an accident. They were buried in the
churchyard in Harefield. My husband was told that Winston Churchill used to stop and
visit the house on his way to Chequers. Colonel O’Hay was the CO. at the time."

3. Destruction of the Colne Valley and ruination of the scenic locality
   • The proposed 2 1/4 mile huge concrete and steel viaduct would
     unnecessarily destroy thousands of acres of farmland and greenbelt.
     Given that a tunnel could replace the viaduct at an extra cost of c £160
     million all this land could be preserved. Green belt should be protected
     where possible.
   • Savay Lake (neighbouring our farm) which is one of the top 3 fishing
     lakes in England, a legendary lake amongst anglers (a book has been
     written "Savay") destroyed by viaduct being placed overhead.
   • Denham Waterski club would go - another leisure loss.
   • HOAC (Hillingdon Outdoor Activity Centre) would have to go, so yet
     another leisure facility gone. This leaves hardly any leisure facilities in
     the area.
   • Damage to the sensational birdlife, wildlife etc.

4 Damaging effects on Savay Farm
   • Please bear in mind we already live within c 1/4 mile of the Chiltern
     Line railway between Marylebone and Birmingham. In the early 20th
     century there was a big outcry about the building of this line. For
     Savay Farm to be positioned between the two lines and to be the
     sacrificial lamb twice in a century is unlucky to say the least.

   • NOISE
   • The house and gardens are occasionally open to members of the
     public and sometimes tours of the house are given. The noise from
     the trains on the viaduct would mean this would no longer be possible
     as it would be too noisy, and the background noise would ruin the
     timeless quality of the old medieval building.
   • The Petitioner Sally Cakebread works from home. The Petitioner is
     worried that she will not be able to continue working from home as
     she will be disturbed by the noise of the construction and then the
     railway.
The working hours proposed are far too long and would make the building phase unbearable.
Savay Farm is positioned in the noisiest zone of damage.

The Promoter’s Response Document page 15 no. 7:
"All individual dwelling where a SOAEL is exceeded are identified as likely individual building significant adverse effects in the Environmental Statement. This is an indication that noise insulation will be offered as a means of aiming to avoid any significant adverse effect on the health and quality of life of those living there caused by airborne operation or construction noise."

Historic England has said that only secondary glazing is an option here and we mainly have that throughout the house. Despite the double glazing the Petitioner Sally Cakebread has had to ring Hillingdon Council many times within the last year to complain about the significant noise levels at the recycling site off Harvil Road towards Ickenham (c. a mile away) which gives her headaches.

Pollution

Damage to wildlife and birds

Possible Mitigation

Hartwell House, another grade I listed property on the HS2 route and owned by the National Trust is having expensive mitigation. Therefore there is a clear precedent but HS2 has offered nothing. HS2 Ltd has accepted that they cannot plant vegetation in order to protect Savay Farm from the viaduct. HS2 Ltd in its environmental survey has said that the noise damage to Savay Farm is highly detrimental in the short-term and long-term. We know that the detrimental visual impact of the line and viaduct would be massive to Savay Farm.
The Petitioner asked an HS2 engineer if he had seen the area. He replied "No, but I've seen lots of aerial photos."
- HS2 is not economically viable in the Petitioner's view but if it were built it should go in a tunnel under the Colne Valley and the planned viaduct along with all the construction camps, electricity sub-stations, spoil dumps etc. would not destroy the area and thousands of acres of green belt would still be preserved for the next generation, along with HOAC, Savay Lake, Savay Farm etc. Money saved from not building the Heathrow spur (which would have been built in a tunnel under Savay Lake) should now be used to put In a Colne Valley Tunnel.
The Petitioner has never believed the endless excuses from HS2 not to put in a tunnel, which is the obvious way of protecting the Colne Valley - excuses including shifting gravel, expense, where to put the spoil etc. If the Chinese can put a 76 mile tunnel Under the sea between islands, the Petitioner is sure tunnelling under the Colne Valley is not too great a task for our engineers.
5. Cost of viaduct

- The additional cost to tunnel under the Colne Valley is between £165 million and £600 million. This is a very small amount when you consider the following:
  - The potential cost of re-siting HOAC alone is £35 million.
  - I estimate the cost of loss of green belt and ancient woodland in the Colne Valley as many hundreds of millions as it would be lost in perpetuity.
  - Property compensation has not been accounted for. This figure could be a large sum. There is less compensation for property within the M25 than outside which is totally unfair.
  - HS2 is no longer putting a tunnel under Savay Lake for the Heathrow Spur. This is a saving of c £3.4 billion so surely some of this saving can be used to preserve the Colne Valley.
  - The Commons Select Committee decided to keep the proposed viaduct on grounds of cost. A tunnel could be put under the Colne Valley at a cost of £200 million. I predict the preservation of other assets mentioned above is c £350 million so there seems to be another agenda.

Heritage assets deserve protection. The setting of Savay Farm is protected by law and I hope the House of Lords will listen to our petitions very carefully and give due consideration to the proposal for a tunnel.

- Due to Savay Farm having a river and lake next to it meaning no vegetation is possible as mitigation and due to the fact that no sound proofing is possible due to its grade I listing, a tunnel is the only viable option to protect this ancient medieval site full of listed buildings and historic assets (stone circle and protected burial mounds).

- The sound damage which falls in highest zone plus appearance of a concrete and steel viaduct alongside a beautiful medieval manor would destroy our home probably making it uninhabitable as to lose our idyllic rural setting would be heartbreaking.

Heritage assets deserve protection.

6 Lack of Proper Compensation

Compensation

When considering compensation HS2 must consider things such as fishing rights (which become worthless now for generations to come) should the viaduct be built. Also the future recreational value of the property; camping or glamping on the farm; birdwatching; nature trails; go-karting; tree climbing; recreational use of land that has not been discovered yet; tracking value; mining; water sports; minerals; festivals at the Stone Circle; holiday lets; devaluation of the heritage asset were it not able to open to the public due to HS2 (noise plus visual impact) farming; other land use; renting out of farm buildings, land, sheds etc. The Petitioners request that compensation include proper remuneration for freeholders for loss of current and potential leisure facilities such as fishing rights, boating rights, flying (if new restrictions come in) etc. in perpetuity.

- Compensating for loss of setting for a house which has stood in such a peaceful landscape relatively undisturbed for 850 years must take into account factors such as the Petitioner
as current home owners near to the proposed route are unable to remortgage or take out a new mortgage. HS2 Ltd should address this and make mortgages, loans and remortgages possible.

• In order to compensate property owners properly HS2 should adopt schemes such as abolishing inheritance tax payable on all properties within one mile indefinitely. This is only fair as in some cases generations have invested in their property for centuries or decades (in the case of the Petitioner) and therefore should be compensated for the value added by previous generations and for their commitment to the location.

• Remuneration for psychological stress and uncertainty for all property owners and dwellers living within 1 mile of the proposed HS2. Recognition of the potential mental health impacts, anger and depression.

• The strength of local feeling against HS2 is very strong in Denham. Denham gains nothing from the rail-line as there is already an excellent and fast service to Birmingham. It just stands to lose almost all of its leisure facilities in perpetuity.

Finally:
The Petitioners love, care for and appreciate their home - its uniqueness and antiquity. They feel lucky to live in such a wonderful historic building and seek that it be protected as part of the nation’s heritage assets and that the Law relating to protecting it and its setting be adhered to strictly.

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.

Sally Cakebread

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

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

THE PETITION OF Paul Knowles

Declares that:
1. The petitioner (‘Your Petitioner’) is specially and directly adversely affected by the whole Bill

2. Your petitioner

Your Petitioner is Paul Knowles, resident at Dunton, Oxford Street, Lee Common, HP16 9JY, 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.

3. Your Petitioner’s concerns

3.1. Tunnel throughout the Chilterns AONB

Your Petitioner as a resident of this part of the AONB is 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 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 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.

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 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 Great Missenden and Wendover, in particular, for access to work, 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.

3.2 Your Petitioner accordingly emphasises 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 Petitioner requests 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 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 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 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

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 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 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 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.

Paul Knowles
Dunton, Oxford Street, Lee Common, HP16 9JY

16 April 2016
To the House of Lords

Session 2015-16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Mr David R Williams

Declares that:

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

2. Your petitioner

The petitioner is Mr David R Williams. Your petitioner is the freeholder and occupier of Old Mill Farm, Marsh, Great Kimble, Aylesbury, HP17 SSP, a former watermill situated in the Parish of Little Kimble, Buckinghamshire which is referred to in the Domesday book and was a working mill between 1086 and 1934. The property includes a Mill house, 14 acres of land and a mill stream known as Bonny Brook.

3. Your petitioner’s concerns

Drainage

Part of your Petitioner’s property is to set to be acquired by the scheme for the purpose of a drainage system which has been described in Notice Number C272/00981. Your petitioner understands that this drainage system has been designed as a result of raising the existing Chiltern Rail Aylesbury to Princes Risborough railway to run over HS2, and as a result a balancing pond has been created as shown on plan CT-06-041-L1. Your petitioner is concerned that the construction of this balancing pond will incur further runoff across his land and drain upstream into Bonny Brook. Your petitioner is also concerned that this man made change in the water flow could affect the natural water course and result in Old Mill Farm flooding for the first time in its history.

Your Petitioner requests that this drainage system is redesigned, and that hydrologists and engineers make the simple adjustment of taking the culvert a few metres further and therefore, downstream of your petitioner’s property. This should then allow any excess drainage water to have time and space to dissipate as it moves downstream.

Your Petitioner would further require that the balancing pond is designed so that it is larger and deeper to accommodate a one in 1000 years peak flood event and that a detailed hydrology survey and action plan is provided to illustrate the effects of the scheme on the local water table and how this will be protected.

Balancing Pond

Your Petitioner is concerned that the proposed position of the balancing ponds and associated artificial drainage scheme partly on a neighbour’s property, and partly on his property will result in an increased risk on flooding on your Petitioner’s property.

Your Petitioner requests that the underground drainage pipe is extended so that it reaches just downstream from his dwelling and a detailed hydrology mitigation plan is produced by the promoter.
and agreed with your petitioner. Your petitioner is satisfied that the extension of the drainage pipe is a reasonable and cost effective solution to mitigate the impact of the scheme upon his property.

It should be noted that the proposed point of the drainage crossing is located at the narrow point, and a short section of enclosed pipe rather than the currently proposed open ditch would ensure both the field parcel and the public footpath can continue to be operational.

The balancing pond should also be a greater capacity to accommodate 1 in 1000 year flood event.

Tree Planting

Your Petitioner requests a tree planting assessment is undertaken immediately to plan for mitigating the effects of noise, dust, and visual impact of both the construction phase and the operational phase.

Your petitioner considers the early planting of indigenous trees is an essential part of the mitigation and accommodation works to reduce the impact of the scheme on the Property. Tree species such as Hornbeam, whilst not an evergreen, retain most of its leaf cover, and is more suitable than beech in the local soil type. Your petitioner would request engagement with the tree survey team to consult and recommend an appropriate species mix. It is of note that rare native Black Poplar trees grow on the Property and the petitioner would request these are maintained, or increased as a result of the scheme, and would not wish a valuable habitat to be lost.

Growth periods and seasonality will all affect the effectiveness of the planting and sufficient timescales need to be allowed to ensure the trees are sufficiently mature and established. The HS2 Ltd Corporate Plan 2015-2018 clause 2.8 focusses on sustainability with a key theme to “seeking to avoid significant adverse effects on communities, businesses and the natural, historic and built environments”, the request for advance tree planting your petitioner considers will assist HS2 in meeting this objective.
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.

Edward Henry Stephen Briggs

18th April 2016
The petitioners are specially and directly adversely affected by the whole High Speed Rail (London - West Midlands) Bill.

Your petitioners are the Island Triangle Residents Association (TITRA), which has represented the interests of residents in 220 railway cottages, mainly in the Old Oak Lane Conservation Area as well as some houses on Old Oak Lane to the South, since the 1970s. It is bordered by Willesden Junction station and the West Coast main line (WCML) to the North, the Willesden Euroterminal site to the West, Powerday plc, the UK's largest materials recovery facility, to the East, and the Atlas Road to the South. This is an attractive and inclusive community comprising a mix of owned and rented properties occupied by younger families and older residents and includes nationalities from across the world. The Old Oak Lane Conservation Area was so designated because it is an example of a Victorian era railway company building housing for its workers (in the 1880s) to provide them with healthier living conditions; there are only three or four of these purpose-built workers' estates now surviving in London. The area's attractive cottages have been a regular location - whole street or individual house interior - for TV, film and music video production companies in partnership with Ealing Council's film office for more than 50 years.

Your petitioners' concerns

3.1. Summary of concerns: the community represented by TITRA is next to the HS2 Atlas Road construction compound and close to the Willesden Euroterminal Yard which will see combined waste transfer and railway network maintenance operations. The transfer of waste will be by conveyor system, much of which will be uncovered and not sound-proofed, causing dust, noise and other pollution hazards for local people. Much of this construction and waste transfer work will be carried out on a 24-hour basis for many years. The yard will still be used for existing UK railway network maintenance, so the impacts on residents are worse than previously stated by HS2's plans and in its Environmental Statement. We believe that the HS2 Environmental Statement under-estimates the environmental impacts on the community, stating only that some properties in Stephenson Street will be significantly affected by the yard operations, when your petitioners believe that properties on Goodhall Street and the few at the South of Old Oak Lane will also be affected by construction and maintenance works that will be needed for HS2's entire lifetime. Under
the Bill's APs, it is possible that the Willesden Euroterminal Yard will be reconfigured to accommodate displaced tenants from the yard and your petitioners require clarification of plans, environmental impact assessment and effective communication of their impacts on the local community. These combined impacts from compounds and the Euroterminal are greater and of greater duration than allowed for in the original Bill and subsequent APs.

3.2. Sensitive receptors - Since the community is at the heart of HS2 construction operations, these are exceptional circumstances that demand that TITRA / Old Oak Lane Conservation Area is treated as a sensitive receptor and mitigation measures are drawn up and tailored to residents' needs.

3.3. HS2 construction compounds - environmental impacts: Since our area is close to HS2's Atlas Road compound, your petitioners require the compound to have a barrier affording protection from dust, particulate and noise pollution from the site's operations.

3.4. Conveyor belt system – review and redesign: under AP2, spoil from the main HS2 works will be carried by conveyor system past Midland Terrace and along Atlas Road to the Euroterminal Yard for a number of years. The current conveyor design should be reviewed to include full hoarding and full sound insulation and screening/hoardings where it is near any local residential areas.

3.5. Waste transfer environmental impacts: The bill / APs have yet to clarify the combined environmental impacts of tunnel spoil transfer together with existing rail maintenance works at the Euroterminal site; HS2 currently only acknowledges that the waste transfer works will affect Stephenson Street but neither the neighbouring Goodhall Street nor properties at the south end of Old Oak Lane.

3.6. Real time air quality monitoring of waste transfer impacts: Your petitioners require that HS2's ES data is revisited to assess the impacts on the two additional streets - Goodhall Street and the south end of Old Oak Lane. Your petitioners were not convinced by the ES air quality assessment data which is taken from limited monitoring points. In addition, we do not believe the provisions of the Code of Construction Practice (CoCP) which are generic and route-wide are strong enough to deal with worst-affected areas like the Old Oak Conservation Area (TITRA area) as well as Midland Terrace & Wells House Road or Camden.

Your petitioners also require real-time air quality monitoring throughout these three residential areas, with trigger levels and a linked action plan that shuts down the activity if a breach in air quality limits (particularly in respect of Nitrogen Dioxide and particulate matter) is detected. This is both possible and reasonable. We want to be consulted on and agree relevant monitoring point locations with HS2 across these three areas: Old Oak Conservation Area (TITRA area), Midland Terrace & Wells House Road.

3.7. Greater scope of HS2/ wider network maintenance at Euroterminal: The combined nature of the Euroterminal Yard operations – waste transfer and existing UK railway network maintenance – was only communicated to local communities because of this association’s petition to the House of Commons and your petitioners require clarification of HS2's plans for these activities as they will apply for HS2's lifetime.

3.8. Relocation of local businesses at Euroterminal Yard: TITRA also requests HS2 to clarify its plans under the APs for a possible reconfiguration of the Euroterminal Yard to accommodate some of its existing commercial tenants that may be displaced by HS2's waste transfer operations. Our association requires that HS2 conducts further environmental impact assessments regarding any reconfiguration impacts. TITRA asks that any site reconfiguration plans include an environmental and soundproofing barrier between the Euroterminal site and Stephenson Street to the East.
3.9. **Cleaning of Channel Gate Road and Old Oak Lane and their pavements:** the Old Oak Lane Conservation Area, particularly Old Oak Lane’s pavements, is already in a permanently dirty state from existing Euroterminal Yard operations: local people have to sweep dirt from hallways. These dirty conditions will only be exacerbated by HS2’s construction and waste transfer operations. The association requires HS2 to keep both roads and pavements clean along Channel Gate Road and Old Oak Lane to the North and South of the Euroterminal Yard, as well as be responsible for cleaning brickwork of private housing on these routes.

3.10. **Enhanced communication with local people:** HS2’s plans for constructions and waste transfer operations were only partly communicated to your petitioners and then only at the very last minute before the association’s appearance at the House of Commons Select Committee hearing on January 7. Our association asks that HS2 communicates its plans and their impacts on local communities much more clearly at a much earlier stage – whether in relation to the House of Lords hearing or in future community engagement.

4. **Order of hearings:** Your petitioners request that London presentations to the House of Lords are heard early in the proceedings, rather than at the end of the running order as happened with the House of Commons Select Committee hearings.

5. **Summary of required actions via a House of Lords Hearing:**

5.1. Special receptor status is required for properties on Goodhall Street and Old Oak Lane as well as Stephenson Street that will be significantly impacted by HS2 construction works at the Atlas Road compounds and the waste transfer works at the Euroterminal Yard.

5.2. HS2 Atlas Road compound to have a barrier affording protection from dust, particulate and noise pollution.

5.3. HS2’s design of a tunnel waste conveyor system from construction sites to the Euroterminal Yard should be altered to include full hoardings and sound insulation, where it is near any local residential areas.

5.4. Re-examination of the HS2 ES air quality data which underplays the impacts on the Old Oak Conservation Area (TITRA area) - as well as Midland Terrace & Wells House Road and real-time air quality monitoring throughout these three residential areas, with trigger levels and a linked action plan that shuts down the activity where a breach in air quality limits is detected.

5.5. Clarification by HS2 of its plans under the APs for a possible reconfiguration of the Euroterminal Yard to accommodate some displaced yard tenants and the impacts on the Old Oak Lane Conservation Area from doing so, to include new assessments of environmental impact on Stephenson and Goodhall Streets.

5.6. Any Euroterminal site reconfiguration to include environmental and soundproofing barrier between the remodelled site and Stephenson Street.

5.7. Given the dirt on local roads and pavements caused by existing HGV traffic for Euroterminal Yard operations as well as HS2’s planned HGV traffic into the yard, HS2 must accept responsibility for cleaning both roads and pavements of Channel Gate Road and Old Oak Lane to the North and South of the yard, as well as clean the brickwork of residential housing along these routes.

5.8. Your petitioners require that HS2 communicates its plans and their likely impacts on local communities much more clearly and at a much earlier stage – whether in relation to the House of Lords hearing or in any future community engagement programmes.
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.

Mark Walker, Agent for the Island Triangle Residents’ Association (TITRA)

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 - Heather Barrett-Mold

Declares that:
1. The petitioner (‘Your Petitioner’) is specially and directly adversely affected by the whole Bill

2. Your petitioner
Your Petitioner is Heather Barrett-Mold, resident at Robertswood Cottage, Kings Ash, 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.

3. Your Petitioner’s concerns

3.1. Tunnel throughout the Chilterns AONB
Your Petitioner as a resident of this part of the AONB is 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 (NPPF) and the European Landscape Convention which states that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest level of protection in relation and equal to the protection afforded to National Parks. Your petitioner is
gravely concerned that the current proposals set precedents that would adversely affect the protection afforded to this and all other National Parks and AONBs.

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. It will have severe adverse effects on the social, environmental and economic cohesion of the communities in the area 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 at a lose to understand why the Promoters of the Bill dismissed the construction of a fully bored tunnel through the full length of the AONB, when similar projects, for example Cross Rail and the North York Moors potash project, developers set aside sufficient funds to tunnel and protect the environment. As stated above the Chilterns AONB has the same protected status as the North York Moors where a 36 km long tunnel was constructed to eliminate the environmental impact.

Your Petitioner’s home is situated 400 metres from the centre of the track, and much closer to the perimeter, particularly as the track and environs are significantly wider at this point to provide a stone catchment area. There are no buildings between the Petitioners’ home and the track. (Source HS2 Maps CT-10-019). The land directly in front of your Petitioner’s property falls away to the valley floor and is parallel to the line of the track; noise from the proposed track will be funnelled directly up to your Petitioner’s home.

Your Petitioner uses Rocky Lane, Chesham Lane, Kings Lane, Leather Lane, Hunts Green Lane, Potter Row, Frith Hill – South Leg, the B485 and the A413 together with the Chiltern Railways service from Great Missenden for access to employment, voluntary work for national bodies, and access to the local services, shops and health services, as well as gaining access to destinations beyond via the A413. Regular closure of these roads and their use by construction vehicles during the period of construction of the works authorised by the Bill will result in your petitioner being isolated from these services, and in delays which will increase the time and cost taken for your Petitioner to access them.

Your Petitioner is a regular user of Kings Lane and Rocky lane and the network of footpaths in the area for recreational purposes. The proposed works will lead to your Petitioner suffering from a loss of recreational facility, together with the detrimental affects of visual, noise and light pollution both from the construction and operation of HS2. 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 track and to and from the A413 and elsewhere.

Your Petitioner has lived in the Chilterns Area of Outstanding Beauty (AONB) for over 40 years and was attracted to the area by the fine landscapes, and characteristic flora and fauna of the area. During this time your Petitioner has worked as a volunteer with local groups to help conserve this unique landscape and valuable natural resource, which is protected under the National Planning Policy Framework and the European Landscape Convention.

Your Petitioner has taken considerable care and additional expense, to ensure that when work has been undertaken on his home that alterations are in line with the additional planning conditions and building regulations in place to maintain the unique character of the area. Your Petitioner cannot therefore understand on what basis the Department for Transport and the Promoter of the Bill considers that it has the right to ignore the statutory and other obligations that protect the AONB or considers that the proposed surface route of the line for this area meets the requirements to protect and preserve the tranquillity of the area and the beauty of its landscapes. Obligations that your Petitioner readily accepted when planning alterations to her home.

Your Petitioner is gravely concerned about the woeful inadequacy of measures proposed to mitigate the effects, both during the construction and operation phases of HS2. In particular your Petitioner believes the Environment Statement deposited with the bill fails to recognise the health benefits for both residents and visitors to the area, and grossly underestimates the volume of construction traffic and numbers of lorry movements placing intolerable burdens on the roads in this community.

Your Petitioner is concerned about the effects of noise and vibration, dust, dirt and air quality together with the severe disruption to traffic arising from the construction of the high speed railway and associated other works and that the operation of the high speed railway will give rise to noise and vibration in this tranquil area of the AONB. Noise would severely impact upon the use and enjoyment of your Petitioner’s home, which looks direct down on to the large and high viaduct at Durham’s Farm. The episodic nature of this noise has been shown to adverse health effects for those exposed to it.

Your Petitioner is concerned about the light pollution, not only during the construction phase but also during its operation. Currently this area has no street lighting and the night sky is highly valued by residents and visitors alike.

Your Petitioner is concerned that the emergency services will be unable to provide timely support due to road congestion, closures and diversions during the construction period.
Your Petitioner is gravely concerned that the building of the line coupled with the existing electricity pylons alongside the line will create an unacceptable visual impact along the AONB section of the line from Mantles Wood to Wendover.

Your Petitioner is concerned about the impact of the construction works on the chalk stream of the River Misbourne and the damage to the quality of drinking water supply by the construction works. Chalk streams are rare in the world and most are located in the South of England.

Your Petitioner is concerned that land, which is occupied and utilised by contractors during construction, will not be cleared and restored after completion to a satisfactory standard for the AONB or in the worst case that the contractors will simply abandon it.

Your Petitioner strongly objects to the diversions and closure of established public rights of way in the area which should all be retained and cross the line directly by footbridges and further that for, this section of the AONB, none of these bridges are to be Green Bridges despite the intentions of the Promoters to build green bridges elsewhere along the route. These lanes and footpaths are ancient, many from Anglo Saxon Times and to change them ignores our history and heritage.

Your Petitioner requests that the Chilterns AONB be protected, as mandated by the CROW Act and NPPF, 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, 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 Petitioner particularly requests that the AONB be protected from the effects of this grave planning error by amending the Bill to require the construction of a tunnel through the whole of the AONB section of the proposed line, by adopting the tunnel proposals submitted by Chiltern District Council and the Chilterns Conservation Board and others. These latter proposals have been referred to in the Environmental Statement, which has been accepted by DfT and HS2 Ltd, as both feasible and environmentally preferable and would ensure that the line passes through the whole of the AONB in a bored tunnel. This would substantially remove the adverse effects complained of in the remainder of this petition and the need for the proposed remedies otherwise required.
Your Petitioner accordingly emphasises 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 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

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, to the levels in the 2011 consultation, 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 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 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 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 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 any lighting is sparse and down focussed
n. 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
o. 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
p. 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
q. 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
r. 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 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 AONB, 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 ancient 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, 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 additionally that the need for
lighting is prohibited by ensuring no night-time construction activities.

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.

Your Petitioner is concerned that all residents in the area are experiencing significant
property blight and are now trapped in unsellable properties, and requests that a fair
and equitable property purchase is extended to include all properties in the area.

The list of grievances above is by no means exhaustive and, due to the inadequacy
of and omissions and errors in the Environmental Statement prepared by HS2 Ltd, it
is inevitable that the construction of HS2 will disrupt the lives of the residents in
the AONB, including that of your Petitioner, in ways which have not yet been
considered.

For the foregoing and connected reasons, your Petitioner respectfully submits that,
unless the Bill is amended as proposed above, the relevant clauses 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 his 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 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.

Heather Barrett-Mold                        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 - Barry Barrett-Mold

Declares that:
1. The petitioner (‘Your Petitioner’) is specially and directly adversely affected by the whole Bill

2. Your petitioner
Your Petitioner is Barry Barrett-Mold, resident at Robertswood Cottage, Kings Ash, 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.

3. Your Petitioner’s concerns

3.1. Tunnel throughout the Chilterns AONB
Your Petitioner as a resident of this part of the AONB is 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 (NPPF) and the European Landscape Convention which states that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest level of protection in relation and equal to the protection afforded to National Parks. Your petitioner is
gravely concerned that the current proposals set precedents that would adversely affect the protection afforded to this and all other National Parks and AONBs.

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. It will have severe adverse effects on the social, environmental and economic cohesion of the communities in the area 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 at a lose to understand why the Promoters of the Bill dismissed the construction of a fully bored tunnel through the full length of the AONB, when similar projects, for example Cross Rail and the North York Moors potash project, developers set aside sufficient funds to tunnel and protect the environment. As stated above the Chilterns AONB has the same protected status as the North York Moors where a 36 km long tunnel was constructed to eliminate the environmental impact.

Your Petitioner’s home is situated 400 metres from the centre of the track, and much closer to the perimeter, particularly as the track and environs are significantly wider at this point to provide a stone catchment area. There are no buildings between the Petitioners’ home and the track. (Source HS2 Maps CT-10-019). The land directly in front of your Petitioner’s property falls away to the valley floor and is parallel to the line of the track; noise from the proposed track will be funnelled directly up to your Petitioner’s home.

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Your Petitioner is a regular user of Kings Lane and Rocky lane and the network of footpaths in the area for recreational purposes. The proposed works will lead to your Petitioner suffering from a loss of recreational facility, together with the detrimental affects of visual, noise and light pollution both from the construction and operation of HS2. 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 track and to and from the A413 and elsewhere.

Your Petitioner has lived in the Chilterns Area of Outstanding Beauty (AONB) for over 40 years and was attracted to the area by the fine landscapes, and characteristic flora and fauna of the area. During this time your Petitioner has worked as a volunteer with local groups to help conserve this unique landscape and valuable natural resource, which is protected under the National Planning Policy Framework and the European Landscape Convention.

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Your Petitioner is concerned that land, which is occupied and utilised by contractors during construction, will not be cleared and restored after completion to a satisfactory standard for the AONB or in the worst case that it will simply be abandoned by the contractors.

Your Petitioner strongly objects to the diversions and closure of established public rights of way in the area which should all be retained and cross the line directly by footbridges and further that for, this section of the AONB, none of these bridges are to be Green Bridges despite the intentions of the Promoters to build green bridges elsewhere along the route. These lanes and footpaths are ancient, many from Anglo Saxon Times and to change them ignores our history and heritage.

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3.2. Your Petitioner particularly requests that the AONB be protected from the effects of this grave planning error by amending the Bill to require the construction of a tunnel through the whole of the AONB section of the proposed line, by adopting the tunnel proposals submitted by Chiltern District Council and the Chilterns Conservation Board and others. These latter proposals have been referred to in the Environmental Statement, which has been accepted by DfT and HS2 Ltd, as both feasible and environmentally preferable and would ensure that the line passes through the whole of the AONB in a bored tunnel. This would substantially remove the adverse effects complained of in the remainder of this petition and the need for the proposed remedies otherwise required.
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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, to the levels in the 2011 consultation, 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 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 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 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 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 any lighting is sparse and down focussed
n. 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
o. 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
p. 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
q. 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
r. 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 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 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 ancient 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, 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 additionally that the need for
lighting is prohibited by ensuring no night-time construction activities

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.

Your Petitioner is concerned that all residents in the area are experiencing significant
property blight and are now trapped in unsellable properties, and requests that a fair
and equitable property purchase is extended to include all properties in the area.

The list of grievances above is by no means exhaustive and, due to the inadequacy
of and omissions and errors in the Environmental Statement prepared by HS2 Ltd, it
is inevitable that the construction of HS2 will disrupt the lives of the residents in
the AONB, including that of your Petitioner, in ways which have not yet been
considered.

For the foregoing and connected reasons, your Petitioner respectfully submits that,
unless the Bill is amended as proposed above, the relevant clauses 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 his 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 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.

Barry Barrett-Mold

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 Mr Patrick Dillon of Dunton Hall, in the Parish of Curdworth, North Warwickshire

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. Your Petitioner is Mr Patrick Dillon. Your Petitioner is the owner of Dunton Hall, Kingsbury Road in the Parish of Curdworth. Your Petitioner’s landholding includes plots 87, 95, 96, 99, 100, 101, 102, 103, 103a, 106, 108, 108a, 109 and 110 in the Parish of Curdworth in the District of North Warwickshire, as identified on the Promoter’s Parliamentary Plans and within the Book of Reference.

3. It is proposed by the Bill to authorise the compulsory acquisition of certain interests in this land or property, to which the Petitioner 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.

4. The Petitioner alleges 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 Petitioner accordingly objects to the Bill for the reasons, amongst others, hereinafter appearing.

Outstanding issues

5. Your Petitioner’s landholding extends to approximately 100 acres. The residential property of Dunton Hall and its associated land, buildings and structures are Grade II listed and of significant historical importance. Your Petitioner has owned and occupied Dunton Hall for 37 years, and the property has been in the ownership of your Petitioner’s family for over 70 years. The property is within a quiet rural setting and benefits from direct access to the A4097 Kingsbury Road, providing easy access to the M42 and other major highways.

6. Your Petitioner has utilised the landholding to establish a diverse range of business uses, as identified within the Promoter’s Environmental Statement (see paragraph 3.3.30 of Community Forum Area (‘CFA’) Report 20). Those uses include a kennels business, a dog grooming business, a veterinary clinic, greyhound training and equestrian uses, as well as utilisation of the land for regular car-boot sales, music festivals and grazing of livestock. Your Petitioner also has future plans including the extraction of sand and gravel, with an access route across your Petitioner’s land agreed with neighbouring landowners to enable associated vehicles to access directly on to A446 Lichfield Road. The land is included within the emerging Warwickshire Minerals Development Framework.

7. The Promoter’s proposed scheme will require the permanent acquisition of circa 42 acres of your Petitioner’s landholding. Additionally, the works will necessitate the demolition of a number of your
Petitioner's buildings, and the construction of the railway will interfere with access to your Petitioner's residential property, kennels, dog-grooming business, greyhound training track, veterinary clinic and stables.

8. The Petitioner appeared before the Select Committee of the House of Commons on two occasions, asking that the promoter co-operate with the Petitioner to provide an access arrangement to their retained land that puts them in a position of equivalence in terms the number and type of vehicles that could access the property. It is currently possible for your Petitioner to provide separate access and egress points to the site, which is vital for the current and planned future operations on the site.

9. In their final report the House of Commons Select Committee stated ‘Patrick Dillon is the owner of Dunton Hall and surrounding land. He operates a business on the land and may in the future want to exercise mineral extraction rights. The Promoter proposed an alternative access to accommodate those activities without intruding on the needs of a neighbouring landowner at Reindeer Park. Among other matters, Mr Dillon sought an assurance that if the Promoter were at any point to acquire Reindeer Park a different access could be considered. The Promoter said that that could prejudice the value of any future interest in Reindeer Park. We have pressed the Promoter to reconsider its position on that issue. The matter can be pursued in the House of Lords if necessary’.

10. It goes without saying that the Petitioner was very satisfied and grateful about this outcome. We also acknowledge that in correspondence dated 24th March 2016, HS2 acknowledge and accept the point made by the committee.

11. Subsequent to our appearances at the Select Committee, HS2 have proposed a single lane route with passing places for all non-agricultural uses that will lead from the land in a south-easterly direction to allow direct access from the previously severed land to Hams Lane. Agricultural uses will be served by an access at Reindeer Park. The Petitioner has made compromises on their position in order to reach a solution with the promoter and has agreed to upgrade the proposed Hams Lane access at their own cost for two-lane HGV passing.

12. The remaining outstanding issue is that the promoter has not offered the Petitioner sufficiently robust assurances to guarantee their ability to undertake the work.

13. Your Petitioner has currently received the following proposed assurance from HS2:

1. Subject to paragraph 3, the Promoter will not object to a future planning application submitted by Mr Dillon which seeks to modify the proposed HS2/farm access road provided that the development proposed to be authorised by the planning application does not prejudice the delivery of Phase 1 of HS2, and, as soon as reasonably practicable after such an application has been submitted, the Promoter will notify the local planning authority that it has no objection to such an application.

2. Subject to paragraph 3, if Mr Dillon obtains planning permission to modify the proposed HS2/farm access road then the Promoter will grant to Mr Dillon sufficient rights in the land comprised in the proposed HS2/farm access road along the length between points A and B and C and D.

3. Paragraphs 1 and 2 are subject to:
a) the Promoter having the requisite powers to do so within the Bill without the need for any additional statutory powers;

b) any applicable requirement under the Crichel Down Rules;

c) any rights that may be required for the benefit of Newlands Farm and Footpath M40 to use part of the proposed HS2/farm access road between points A and B/C; and

d) in all other respects the Promoter being of the view that it would not compromise the economic and timely delivery of Phase 1 of HS2.

14. We acknowledge and accept the assurance at paragraph 1, however, we are concerned that the conditions at sub-paragraph b and c in particular compromise any sense of certainty that the assurance may offer. This is because the assurances being offered are compromised by the promoter being unwilling to commit to the full level of rights required due to anticipating the potential requirements of other landowners that have not yet come forth.

15. The Petitioner is of the opinion that the requirements of other land owners, as mentioned in the conditions to the assurance, can be incorporated into the easement thereby removing the position whereby the promoter could be seen to be favouring the interests of other land owners above those of the Petitioner.

16. The Petitioner seeks an assurance that the promoter will provide an easement strip of sufficient width and length to create a two lane carriageway allowing Heavy Goods Vehicles to pass each other along its length, to be constructed at the expense of the Petitioner, so as to enable the current uses to be continued and allow for the future uses to be undertaken with the same lack of impediment as currently exists.

17. In addition the land is currently serviced, with access to the electrical supply. The Petitioner requests that the rights incorporate the ability to provide and maintain these services along the length of the roadway.

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.

Jonathan Stott MRICS
Agent for Mr Patrick Dillon
15th April 2016
To the House of Lords  
Session 2015-16

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

THE PETITION OF Tracey Knowles

Declares that:
1. The petitioner (‘Your Petitioner’) is specially and directly adversely affected by the whole Bill

2. Your petitioner  
Your Petitioner is Tracey Knowles, resident at Dunton, Oxford Street, Lee Common, HP16 9JY, 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.

3. Your Petitioner’s concerns

3.1. Tunnel throughout the Chilterns AONB  
Your Petitioner as a resident of this part of the AONB is 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 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 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.

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 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 Great Missenden and Wendover, in particular, for access to work, 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.

3.2. Your Petitioner accordingly emphasises 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 Petitioner requests 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 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 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 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

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 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 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 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.

Tracey Knowles
Dunton, Oxford Street, Lee Common, HP16 9JY

16 April 2016
To the House of Lords

Session 2015–16

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

THE PETITION OF Hyde End Residents Group

Declares that:

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

2. Your petitioner Hyde End Residents’ Group (HERG), is an association of local residents who live in the hamlet of Hyde End in the Chilterns’ Area of Outstanding Natural Beauty (“the AONB”). Hyde End is a community of some 40 properties - mainly residential and farmsteads - and lies about 2km east of the A413 (the main road from Amersham to Wendover) and Great Missenden (that requires crossing over A413 to reach).

HERG is a local organisation, formed in 2014 to bring residents together to respond to community matters and in particular to take collective and coordinated action over the impacts of HS2 on Hyde End.

HERG is also a member of the Residents’ Environmental Protection Association (REPA), which was established in 2013. REPA is an association of individuals and groups mainly in the South Heath area (including Hyde End) that has championed the local community in trying to secure more effective mitigation from HS2 Ltd.

HERG has 77 members, all residents from the Hyde End community who live adjacent to the B485, Hyde Heath Road, on Hyde Lane and in the surrounding area. A membership list is available from the Chair, at the Petitioner’s address.

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

3. Your petitioner’s concerns:

Your Petitioner will suffer a range of severe and adverse effects by reason of the Bill, in respect of which your Petitioner has requested (and continues to request) that the presently proposed fully bored Chiltern Tunnel is extended throughout the entirety of the AONB, in accordance with the proposal for the Tunnel Bored One Way (TBOW) from the South. This will address most, if not all, of these adverse effects, the concerns of your Petitioner and will reduce the impact on the AONB. Failing which, the Petitioner requests further mitigation, as follows:

4. TRAFFIC MANAGEMENT:

i. Your petitioner has serious concerns about the impact of construction works and associated traffic on our community, which relies heavily on access to local towns for everyday amenities – schools, healthcare, work, commuter trains, shops, dental services etc. All your petitioner’s members live on the northern side of the A413 and have to cross it or travel along it to access our local village of Great Missenden and larger surrounding villages and towns such as Wendover, Aylesbury, Stoke Mandeville, High Wycombe. The B485, A413, Great Missenden Link Road and Frith Hill are vital access roads for Hyde End and used constantly on a daily basis by your petitioner’s members. The impact of the construction traffic on your petitioner’s members’ lives is extremely worrying and is causing great anxiety for all. Your petitioner’s members include families with young children, working couples and retirees including the elderly, all of whom need to access services or places to lead their lives.
ii. Your petitioner understands the Great Missenden Link Road and Frith Hill roundabouts, which are already congested at peak hours, will far exceed their capacity (HGV every 1.8mins enters or exits the GM link roundabout), leading to unmanageable bottlenecks and unacceptable delays for local residents. Congestion here would cause delays and access problems for emergency vehicles trying to reach Hyde End, possibly endangering life. It could also lead to other surrounding lanes in our area becoming ‘rat-runs’ to avoid the bottle-neck at Great Missenden.

iii. Your petitioner is concerned that the new temporary haul road from the Chilterns tunnel north portal on the edge of South Heath exits at the Link road roundabout and will add to traffic congestion already on the A413 which HS2 accepts is a major adverse effect. Although there have been suggestions about moving this access road further north along the A413, nothing has been written in to the Bill and so the situation is still outstanding. The Promoter has also said that even if the haul road is moved further north, Frith Hill may still be used for fit-out construction vehicles. Several of your petitioner’s members work and run businesses from their homes and delays along this important access road for Hyde End, which may be on-going for several years could jeopardise the viability of these businesses.

iv. In addition, your petitioner notes that the permanent access road onto Frith Hill from the South Heath tunnel portal is at the narrowest point on this road and on a bend. This brings concerns not only about congestion but about safety for drivers and other road users.

Remedy:

i. Re-route the north portal access road along the line of GM1/12 providing the opportunity to join the A413 further north hence reducing traffic congestion at the A413 (and knock-on to B485) roundabouts.

ii. Installation of traffic management (paid for by HS2) on the Frith Hill / A413 & Link Road roundabouts to control construction traffic, and restrictions on construction traffic movement to off-peak hours to avoid school and commuter traffic.

iii. Move more spoil down the trace (and using viaduct when built).

iv. Prevent the use of the access road during construction e.g. for the fit-out traffic. Retain the access route as permanent and reinstate GM1/12 alongside. Access to Frith Hill (SHL) and in turn the B485 will no longer be required.

v. Reduce the amount of spoil that then requires transporting by use of retained cuttings or a bored tunnel extension. Reduce the road transportation of spoil by taking it all along the trace, by rail. A fully developed, approved and consulted on Traffic Management Plan. Plans to be approved by Bucks County Council before the Select Committee stops sitting. All costs to be borne by HS2 Ltd for monitoring and enforcement. Slip lanes/roads at the Link Road and Frith Hill roundabouts to facilitate traffic flow.

vi. HS2 Ltd to bear the cost of maintenance and repairs to all routes used for construction traffic and surrounding roads used by locals who need to avoid construction routes, without burden to local council tax payers.

5. GENERAL CONSTRUCTION CONCERNS:

i. Your petitioner is very concerned about the environmental impact of construction noise, dust and other air-borne pollution, and the affect HERG residents’ health and wellbeing, short and long-term.
ii. As a community, our homes lie on average approximately 1.6km to the proposed new South Heath North Portal. However, as a rural community, we do not exist inside our properties, and utilize the surrounding countryside and villages/towns as part of our everyday life, still encompassing the proposed line beyond the aforementioned portal.

iii. Therefore, your petitioner’s members are still directly impacted by the line and our enjoyment of our homes and gardens and outdoor lifestyle could be severely affected by environmental pollutants including noise, dust, visual scars on the landscape, etc.

Remedy:

i. We consistently fall back on the TBOW tunnel extension throughout the Chilterns AONB as the only effective solution to our concerns.

ii. Local Environmental Management Plans (LEMP) to be monitored and enforced by Bucks County Council with ALL costs to be borne by HS2 Ltd and without burden to local council tax payers.

iii. High-level dust and pollution suppression during construction with independent monitoring and powers to halt construction until preventative measures are implemented and verified.

6. OPERATIONAL CONCERNS:

i. Your petitioner has ongoing concerns about the impact of HS2 on the AONB for local residents who use the extended rural area on a daily basis.

ii. Of particular concern are the qualitative and quantitative levels of noise, such as predicted peak noise at 100 second intervals, are key to enjoyment of outdoor leisure activities, not average noise values.

Remedy:

i. Reasonably practicable measures to dissipate the noise should include having retained sides to the portal cutting and beyond; deeper cuttings; reducing the train speed; lengthening the porous portal; higher, effective noise barriers (though we have concerns about the visual impact of noise barriers) on both sides of the line to mitigate impact beyond those in properties, to those on footpaths, bridleways etc.

ii. Provide independently verified factually based evidence of noise reduction for the alternatives offered. Undertake to implement the more effective alternative.

iii. Your petitioner’s members are close to the proposed Chesham Road Vent Shaft (500m), and seek reassurance that this will operate with strongest mitigation in terms of visual, sound and other concerns, to our community, inside our homes and beyond.

7. PROPERTY BLIGHT:

i. HERG members continue to suffer property blight as a result of the High Speed Rail Bill. With 8yrs of works are impacting this area, previously outlined compensation schemes are inadequate, as highlighted in previous petition. Consultations with local estate agencies inform us that the area as a whole is continuing to be negatively affected due to the existence of the HS2 line. Interest in the area from elsewhere has diminished, property values are lower and properties are not selling.
Remedy:

i. TBOW tunnel extension throughout the Chilterns AONB. This will help to lessen the effects of the HS2 line on Hyde End and reduce the stress that your petitioner’s members are currently experiencing.

ii. A compensation scheme that provides full current un-blighted house value to all residents when they wish to sell, regardless of need. We propose an independently administered Right to Sell Scheme, with a right to appeal.

iii. The NTS scheme to be made less complex, faster, more accessible, less onerous to prove qualification; more stringent rules to ensure correct un-blighted valuation.

iv. Property Bond scheme to not only provide compensation, but help reduce the level of blight in otherwise blighted areas, and reduce stress for those who worry about the value of their largest asset.

v. Adequate compensation provision for local businesses impacted by the Bill, again to be structured and administered independently of HS2 Ltd.

8. CHILTERNs AONB:

i. Your petitioner continues to seek the Select Committee’s recommendations that the AONB is protected in full. In the area beyond the South Heath North Portal, there are still almost nine kilometres of exposed rail line, creating an industrial zone through a PROTECTED rural heartland.

ii. Your petitioner is particularly concerned by the permanent impacts that include: the consequences of ultra-high speed; noise; spoil; loss of ancient woodland and other flora; loss of amenity for residents and visitors; landscape and heritage impacts; visual obtrusiveness of HS2 (including ancillary equipment, security fencing, water management of ponds, and light pollution); loss of farmland; impacts on wildlife; air quality; property blight; road safety; and health and wellbeing. Major concerns apply to the construction phase, involving in total over 7 years of work.

iii. Your petitioner is concerned about footpath loss e.g. GMi/13 from GM to Jenkins wood; once gone not easy to replace; two pylons replaced by obtrusive 11m higher pylon; design of vent shaft buildings; design of porous tunnel etc. Visual impacts to the whole Chilterns AONB landscape.

Remedy:

i. TBOW tunnel extension throughout the Chilterns AONB.

ii. Bury power lines.

iii. All buildings designed to fit locality and planning constraints of the AONB, adequate landscaping to mask sight of vent shaft buildings, catenary masts and all HS2 infrastructure.

iv. Placement of the high security fence within the cutting and not at the top of the cutting, to mitigate visual impact.

9. ADDITIONAL CHESHAM ROAD VENT SHAFT & AUTO TRANSFORMER STATION:

i. Your petitioner is concerned that there will be additional construction noise and operational noise from the vent shaft and it associated equipment. This vent shaft is 500m from some of your petitioner’s members.
Remedy:

i. The vent shaft and auto-transformer station should be unobtrusive, VISUALLY AND AUDIBLY, on the AONB landscape. Provision of adequate landscaping to mask sight of vent shaft buildings and mitigate noise.

ii. Two properties - Meadow Leigh and Annie Baileys - are unacceptably close the Chesham Vent shaft and should either be offered to be compulsorily purchased or bought by HS2 at pre-Bill market value plus compensation.

10. CONCLUSIONS & PRIMARY MITIGATION:

i. For the foregoing and connected reasons your Petitioner 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 and your Petitioner's area, along with the wider AONB, be not be allowed to pass into law

ii. 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 for which no adequate provision is made to protect your Petitioners.

iii. Accordingly, your Petitioner 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.

iv. If your honourable House alters the Bill to provide for such an extended tunnel most of your Petitioner's objections would be removed.

v. 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 Petitioner requests that the TBOW Chiltern Tunnel is recommended, as it will address, most but not all, of the above concerns.

vi. If the House of Lords does not recommend such an extended tunnel your petitioner asks that the bored tunnel currently emerging at South Heath be extended as far as Leather Lane, as proposed by REPA, which would further protect your petitioner's members from the impacts of HS2 and would protect another 1.5km of the Chilterns AONB.

12. 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.

Signatory

Mrs Susan Brown
Chairperson of HERG

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

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

THE PETITION OF JOHN RICHARD MYERS AND DANIEL ALEXANDER BARTLETT  

Declares that:  

1. The petitioners are specially and directly adversely affected by the provisions of the Bill except the provisions under the cross-headings 'Railway matters' and 'the Crown'.  

2. Your petitioners  

   The petitioners are residents and owners of 116 Drummond Street in Euston. Your Petitioners' home is located within 80 metres of the proposed new westward extension of Euston Station. Your Petitioners' property lies on and partly underneath a stretch of Drummond Street designated to be used for utilities works and by construction traffic during the construction of the Scheme. Your Petitioners' property also lies on and partly underneath the part of Drummond Street designated as 'land potentially required during construction'. Your Petitioners are directly and specially affected by the Bill and object to the fact that they were not served a notice to that effect.  

3. Your petitioner's concerns  

   a. Inappropriate noise insulation scheme  

      Your petitioners learned only in April 2016 that the proposed noise insulation scheme of HS2 Limited ('HS2') for residents near Euston imposes various unnecessary restrictions.  

         i. HS2 has declined to answer your petitioners' requests that HS2 give the criteria determining which rooms will be eligible for noise insulation.  

         ii. Where residents wish to arrange themselves for noise insulation, rather than (for example) trusting the fabric of a Grade 2 listed building to HS2's builders or accepting the double disruption from HS2's potential proposal of temporary secondary double glazing, HS2 unnecessarily requires that such work be done within 12 months of HS2's payment of compensation (which will only cover part of the cost of the work), failing which compensation must be refunded to HS2  

         iii. The 12 month requirement is unnecessary and disproportionate, and your petitioners do not understand how it can be any of HS2's business. Payments of compensation or damages are normally without restriction on how the payment should be used.  

         iv. The 12 month requirement also neglects the reality of getting consent for works to a listed building, which can take several years. The requirement puts
the petitioners in the impossible position of having to pay architects to seek listed building consent for replacement glazing, without knowing whether the works can be completed within the 12 month period and therefore whether any payment from HS2 will have to be repaid.

v. Your petitioners humbly ask your right honourable House to require HS2 (A) to provide sufficient compensation for noise insulation for all (not just some) rooms of houses close to the new extension of Euston Station, or alternatively at least to state the specific criteria as to which rooms are eligible for noise insulation, and (B) to remove, in relation to HS2's offer of payments to mitigate the problems of noise from construction of the new Euston Station, the 12 month requirement and any other conditions imposed upon residents' use of such payments.

b. Lack of assurances on use of Drummond Street for construction traffic

i. Despite repeated requests, HS2 has failed to give any clear commitment that Drummond Street will only be used for traffic relating to utilities works, and not for construction traffic, although agents of HS2 have made several vague indications that that may well be the case.

ii. The petitioners' part of Drummond Street and most of North Gower Street are lined with fragile buildings dating from about 1820. Many of those buildings are listed, including the petitioners' home. The street rests on the historic cellars attached to those buildings and heavy vehicles literally shake the houses when they drive past, causing damage and loss of amenity.

iii. Your petitioners humbly ask your right honourable House to require HS2 to commit that Drummond Street and North Gower Street will only be used for traffic relating to utilities works, and not for general construction traffic.

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.

JOHN RICHARD MYERS

DANIEL ALEXANDER BARTLETT

18th APRIL 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF:
Robert Armstrong; Geoff Arthur; Valerie Arthur; Bobby Binning; Pele Binning; Carol Betts; David Betts; Marshall Blair; Richard Brew; Paula Brew; Regi Cheriyan; Lekha Cheriyan; Andrew Clark; Alastair Clayey; David Clayey; Jane Clayey; Alexander Clayson; Rhona Cloke; Satu Curtis; Will Curtis; Chris Day; Margaret Doldge; Laura Evans; Paul Evans; Daniel Gregory; Lisa Gregory; Bernice Griffiths; David Griffiths; David Halsey; Sue Halsey; Coralie Hammond; Jane Hodge; Catherine Horgan; Jeremy Horgan; Sarah Hussain; Chris Kennedy; Judith Kennedy; Mrs J Lall; Jessica Lanzilotto; Matthew Lanzilotto; Janice Laraway; Kay Luther-Jones; Glen Mason; Sue Mason; John Morgan; Stephen Morris; Jo Oswold; Carole Reid; Lindsay Reid; Charlie Rickard; Sarah Rickard; Pete Robbins; Sue Robbins; Emily Sadler; Mathew Sadler; Mel Sanders; Ken Searle; Valerie Searle; Elliot Selliars; Janie Senior; Robert Senior; Louise Smith; Dan Smyth; Mike Stanley; James Tanquee; John Timperley; Rebecca Timperley; Sue Timperley; Clare Wade Scott; Mandy Walker; Alan Warren; Ian Wasse; Sandra Wasse; Anita Watson; Duncan Watson; Judith H Weir; Victoria Woodall; Joanna Wright

Declares that:

1. The petitioners are specially and directly adversely affected by Schedule 1 Work No. 3/15C – A diversion of Diddington Lane 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; and the proposal to move Bickenhill Waste Recycling Centre to Pasture Farm.

2. Your first petitioner is Robert Armstrong, a resident of 1 Fiddlers Green, a property in Hampton in Arden.

3. Your second petitioners are Geoff and Valerie Arthur, residents of 16 Old Station Road, a property in Hampton in Arden.

4. Your third petitioners are David and Carol Betts, residents of 15 Diddington Lane, a property in Hampton in Arden.

5. Your fourth petitioners are Bobby and Pele Binning, residents of 17 Diddington Lane, a property in Hampton in Arden.

6. Your fifth petitioner is Marshall Blair, a resident of 38 Diddington Lane, a property in Hampton in Arden.

7. Your sixth petitioners are Richard and Paula Brew, residents of 71 Meriden Road, a property in Hampton in Arden.

8. Your seventh petitioners are Regi and Lekha Cheriyan, residents of 30 Diddington Lane, a property in Hampton in Arden.

9. Your eighth petitioner is Andrew Clark, a resident of 20 Old Station Road, a property in Hampton in Arden.
10. Your ninth petitioners are David, Jane and Alastair Clavey, residents of 3 Diddington Lane, a property in Hampton in Arden.

11. Your tenth petitioners are Alexander Clayson and Louise Smith, residents of 15 Arden Court, Fentham Road, a property in Hampton in Arden.

12. Your eleventh petitioner is Rhona Cloke, a resident of 71 High Street, a property in Hampton in Arden.

13. Your twelfth petitioners are Will and Satu Curtis, residents of 24 Diddington Lane, a property in Hampton in Arden.

14. Your thirteenth petitioner is Chris Day, a resident of 28 Fentham Road, a property in Hampton in Arden.

15. Your fourteenth petitioner is Margaret Doidge, a resident of 20 Diddington Lane, a property in Hampton in Arden.

16. Your fifteenth petitioners are Laura and Paul Evans, residents of 36 Diddington Lane, a property in Hampton in Arden.

17. Your sixteenth petitioners are Daniel and Lisa Gregory, residents of 14 Peel Close, a property in Hampton in Arden.

18. Your seventeenth petitioners are David and Bernice Griffiths, residents of 12 Diddington Lane, a property in Hampton in Arden.

19. Your eighteenth petitioners are David and Sue Halsey, residents of 22 Diddington Lane, a property in Hampton in Arden.

20. Your nineteenth petitioner is Coralie Hammond, a resident of 40 Fentham Road, a property in Hampton in Arden.

21. Your twentieth petitioner is Jane Hodge, a resident of 34 Diddington Lane, a property in Hampton in Arden.

22. Your twenty-first petitioners are Catherine and Jeremy Horgan, residents of 130 Old Station Road, a property in Hampton in Arden.

23. Your twenty-second petitioner is Sarah Hussain, a resident of 66 Meriden Road, a property in Hampton in Arden.

24. Your twenty-third petitioners are Chris and Judith Kennedy, residents of 11 Diddington Lane, a property in Hampton in Arden.

25. Your twenty-fourth petitioner is Mrs J Lall, a resident of 40 The Crescent, a property in Hampton in Arden.

26. Your twenty-fifth petitioners are Matthew and Jessica Lanzilotto, residents of 19 Diddington Lane, a property in Hampton in Arden.
27. Your twenty-sixth petitioner is Janice Laraway, a resident of 2 Nesfield Grove, a property in Hampton in Arden.

28. Your twenty-seventh petitioner is Kay Luther-Jones, a resident of 16 Diddington Lane, a property in Hampton in Arden.

29. Your twenty-eighth petitioners are Sue and Glen Mason, residents of 49 Old Station Road, a property in Hampton in Arden.

30. Your twenty-ninth petitioner is John Morgan, a resident of 17 The Grove, a property in Hampton in Arden.

31. Your thirtieth petitioner is Stephen Morris, a resident of 21 Diddington Lane, a property in Hampton in Arden.

32. Your thirty-first petitioner is Jo Oswold, a resident of 128 Old Station Road, a property in Hampton in Arden.

33. Your thirty-second petitioners are Lindsay and Carole Reid, residents of 190 Old Station Road, a property in Hampton in Arden.

34. Your thirty-third petitioners are Charlie and Sarah Rickard, residents of 23 Meriden Road, a property in Hampton in Arden.

35. Your thirty-fourth petitioners are Pete and Sue Robbins, residents of 31 Old Station Rd, a property in Hampton in Arden.

36. Your thirty-fifth petitioners are Emily and Mathew Sadler, residents of 44 Meriden Road, a property in Hampton in Arden.

37. Your thirty-sixth petitioner is Mel Sanders, a resident of 8 Peel Close, a property in Hampton in Arden.

38. Your thirty-seventh petitioners are Ken and Valerie Searie, residents of 32 Diddington Lane, a property in Hampton in Arden.

39. Your thirty-eighth petitioner is Elliot Sellars, a resident of 19 Meadow Drive, a property in Hampton in Arden.

40. Your thirty-ninth petitioners are Robert and Janie Senior, residents of 122 Old Station Road, a property in Hampton in Arden.

41. Your fortieth petitioner is Dan Smyth, a resident of 41 The Crescent, a property in Hampton in Arden.

42. Your forty-first petitioner is Mike Stanley, a resident of 28 High Street, a property in Hampton in Arden.

43. Your forty-second petitioner is James Tanquee, a resident of 72 Old Station Road, a property in Hampton in Arden.
44. Your forty-third petitioner is John, Sue and Rebecca Timperley, residents of 5 Diddington Lane, a property in Hampton in Arden.

45. Your forty-fourth petitioner is Clare Wade Scott, a resident of 35 Bellemere Road, a property in Hampton in Arden.

46. Your forty-fifth petitioner is Mandy Walker, a resident of 32 Meriden Road, a property in Hampton in Arden.

47. Your forty-sixth petitioner is Alan Warren, a resident of 18 Bellemere Road, a property in Hampton in Arden.

48. Your forty-seventh petitioners are Sandra and Ian Wasse, residents of 148 Old Station Road, a property in Hampton in Arden.

49. Your forty-eighth petitioners are Anita and Duncan Watson, residents of 180 Old Station Road, a property in Hampton in Arden.

50. Your forty-ninth petitioner is Judith H Weir, a resident of 6 Fentham Close, a property in Hampton in Arden.

51. Your fiftieth petitioner is Victoria Woodall, a resident of 41 Meriden Road, a property in Hampton in Arden.

52. Your fifty-first petitioner is Joanna Wright, a resident of 121 Old Station Road, a property in Hampton in Arden.

53. HS2 will traverse the whole length of the eastern part of the Parish of Hampton-in-Arden and the village is also impacted by the proposed significant construction and operation of the Interchange station at the northern end of the Parish at Bickenhill. It is also adversely affected by the associated major roadworks to the A45, A452 and M42 interchange which juxtapose with the Parish boundary.

54. Your petitioners and their rights, interests and property are injuriously affected by the Bill, to which your petitioners object for reasons amongst others, hereinafter appearing.

55. Your Petitioners are concerned that the environmental impacts on Hampton in Arden as currently reported in the Environmental Statement are underestimated or misrepresented in several respects including traffic volumes and routes, and the resulting noise and air quality impacts on the village. In particular, your Petitioners are concerned that:

   a) The Promoter’s original proposal was to close Diddington Lane to through traffic whilst allowing access from either end to accommodate farm and railway maintenance access. It also enabled through access for cyclists, walkers and equestrians, and could have become part of the Green Belt Cycling Pedestrian Route planned by UK Central. This proposal was supported by your Petitioners, the Hampton Society, Hampton-in-Arden Parish Council and other residents of the Lane. The new proposals have NO support from these groups.

   b) The new proposals promote the retention of Diddington Lane as a through route, which will inevitably establish a well-used short cut heavily impacting the enjoyment and safety of the Lane for its residents and users. Diddington Lane at its southern end
is a residential road of chiefly residential properties owned by pensioners and families, many with young children, and a rural lane at its northern end. It is therefore very vulnerable to traffic impacts, and the volume of vehicles will inevitably increase once it is established as a short cut for people to gain access to the Kenilworth Road and HS2 station and associated facilities.

c) The current proposal is to realign the Lane and feature wide, shallow sweeping curves designed to expedite through vehicular traffic. Your Petitioners believe this is inconsistent with the character of what the local MP has identified as a ‘vulnerable country lane’. The Lane is quiet with very low traffic volumes and was specifically chosen by many residents, pensioners and those with young families, for these reasons. It is between 5-6 metres in width and has a speed limit of 30 mph in the residential section.

d) The Additional Provisions further increase the viability of the route as a short cut by rerouting and significantly widening the carriageway, and by their nature they encourage people to use it as such. There is simply no viable or justifiable case for the investment of several million pounds of public funds in the establishment of a short cut that will divert traffic from roads whose purposes are to take current and future through traffic volumes. It was our understanding that HS2 costs were not to increase.

e) There has been absolutely no substantive consultation, collaboration or communication with the residents of the lane (a key stakeholder group) or across Hampton-in-Arden in relation to the additional provisions. Whilst we have been unable to get any tangible information from any source, official or unofficial, as we understand it, the Promoter, Packington Estate and Solihull MBC have entered into independent discussions and “struck a deal” that protects their own interests. It is the petitioners’ understanding that local farms and businesses which would benefit from the changes to the original proposal have been involved by the Promoter in developing the revised plans, but local residents’ interests have been completely disregarded.

f) The announcement of these changes, that was not communicated to residents directly, was issued in the Supplementary Environmental Statement and Additional Provision 2 on 17 July 2015. We interpret this as deliberate and cynical timing, coming as it did on the first day of school holidays in the borough, with a significant proportion of residents being on holiday. It also came at a time when other stakeholders who might have been able to support us were unavailable, including our MP Caroline Spelman.

g) Whilst our aspiration is to revert to original proposal to close Diddington Lane to through traffic, at the very least we demand our right to open and interactive consultation. Therefore, your petitioners seek an undertaking that the Promoter, without prejudice, will review all options for Diddington Lane, in co-operation and collaboration with your Petitioners, so that a mutually acceptable solution is identified that meets the needs of ALL stakeholders, (in particular the people whose lives are directly impacted).

h) The Petitioners are broadly supportive of the establishment of HS2 but ask that the significant blight that this introduces to the immediate area around the proposed route is recognised. On this basis, those people whose homes and well-being are
directly affected should be listened to in consultation and their opinions considered and accommodated where they can be, as this in this case. Indeed, reverting to the original plans offers the opportunity to make significant savings whilst satisfying the requests of a significant number of stakeholders.

56. Relocation of Bickenhill Waste Recycling Centre

a) The Promoters stated that 'consultation with Solihull Metropolitan Borough Council (SMBC) and further consideration of construction and operational access issues at the existing facility concluded that the Bickenhill Waste Recycling Centre (hereinafter referred to as BWRC) should be relocated. 'Highway works to the A45 Coventry Road and A45 Service Road would require a permanent minor realignment of the access to the BWRC, which would require the existing access to be raised to tie in with the raised A45 Service Road'.

b) No evidence or argument is offered by the Promoter or SMBC to suggest that this ‘minor’ amendment to the access is unsatisfactory in operational terms or that the current facility could not continue to operate perfectly satisfactorily from the existing site.

c) Neither the Promoter nor SMBC have engaged in any consultation with the residents of Hampton-in-Arden, or its Parish Council or any other community organisations or residents proposed relocation. Indeed, the announcement came as a further shock and revelation only upon publication of the AP4 documentation on the 12th October 2015, with the petitioning period again including a school holiday. No mention of this proposal was made by the Promoter even though they held an AP2 ‘exhibition’ in the Village on the 19th September and full plans had clearly been fully prepared. The Committee will realise that the proposal followed swiftly on from the provision which sought to realign Diddington Lane.

d) The proposal stated that ‘the new BWRC will be similar to the existing waste recycling centre, but approximately 30-40% larger in area than the existing facility to meet modern standards’. Not only is it larger, but the new facility is to be built on Green Belt agricultural land to the south of the A45, land which Meriden constituency MP Caroline Spelman has declared as beyond a ‘red line’ for the Green Belt such that no development south of the A45 would be permitted.

e) It is clear from the proposals that the new BWRC is to be a permanent location for the operation. The southern boundary of the site juxtaposes with the proposed realignment of Diddington Lane. Your petitioners are of the view that this poses an additional threat to the existing rural and generally tranquil character of the lane in that a new access off Diddington Lane would be both feasible and arguably desirable to SMBC operations should the A45 become so congested as to make access from the A45 difficult and an alternative access be sought. This would be entirely unacceptable to the Petitioners.

f) Your Petitioners have studied the land use maps of the area and have identified a number of ‘brown field’ sites north of the A45 along the East Way corridor which could readily be used as either permanent or temporary alternative locations for the BWRC should this prove necessary. These have adequate access off A45 feeder roads and are currently described as earmarked for incorporation with the A45 East Way Loop
Satellite Compound and material stockpile area. Indeed, since Compounds and stockpiles of materials including spoil heaps are temporary in nature, your Petitioners submit that should it be necessary those facilities or spoil heaps could be located on the area identified for the new BWRC, with the promise that land so affected would be returned to productive agricultural use and Green Belt designation once Railway and road construction had ceased. We would find that a more acceptable solution than that currently presented to us. It would also mitigate in part the additional (and permanent) impact on the Grade II listed Diddington Hall and Farmhouse and Pasture Farmhouse, the effect of which is noted in Paras 3.1.16-24., 'resulting in a 'different significant effect'.

g) In addition to the sites identified above, your Petitioners are unsure why the Waste Recycling centre must be relocated so close to the existing centre, and are concerned that the site has been selected primarily due to its close proximity to the existing site. Solihull Borough has many brownfield sites with strong road transport links that would bear consideration not necessarily in the immediate vicinity of the current site. With the planned development of the HS2 Interchange and the proximity of the proposed site to green belt land, Your Petitioners would want to be assured that a range of sites have been considered.

h) Your Petitioners are concerned about the negative effect on their enjoyment of their properties (and the consequent effect on the property values) of the closer proximity of such a site, and the increasing urbanisation of the village on its Northern boundary.

i) There is increasing concern that there is a tendency for Hampton to be considered and utilised as a “corridor” to key urban facilities in and around the HS2 Interchange without any consultation with the residents of the village. We are concerned that further Additional Provisions and development proposals will emerge in the coming months and years, and even that these may be part of a defined plan for development in and around the HS2 Interchange that is not in the public domain.

j) Your Petitioners and all residents of Hampton in Arden are not being afforded their rightful position as stakeholders who are consulted in process, but are solely being offered the right to petition and protest.

k) For all the above reasons your Petitioners seek an undertaking from the Promoter:

i) that a review of access arrangements at the current site will be undertaken so that your Petitioners can be reassured that a decision to relocate the BWRC was not taken lightly and as an ‘easy option’, or indeed to provide opportunity for the ‘betterment’ of the current facility at the expense of the enjoyment by the local community of its heritage and environment; and

ii) that should relocation prove the only viable option the Promoter will ensure that a suitable alternative site will be sourced on brownfield land north of the A45, as described, thereby eliminating the permanent threat to the Green Belt south of the A45.

57. We and our fellow residents have been excluded from any consultation and no consideration has been made for people who have to live in the vicinity of these proposals and their quality of life.
58. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, the Bill should not be allowed to pass into law.

59. 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 Armstrong

Geoff Armstrong

Valerie Arthur

Edward Binning

Eile Binning

Carol Betts

David Betts

Marshall Blair

Richard Brew

Paula Brew

Regi Cheriyann

Lekha Cheriyann

Andrew Clark
Alistair Clavey

David Clivey

Jane Clavey

Alexander Clayson

Rhona Cloke

Satu Curtis

Will Curtis

Chris Day

Margaret Doidge

Laura Evans

Paul Evans

Daniel Gregory

Lisa Gregory

Bernice Griffiths

David Griffiths

David Halsey

Sue Halsey
Carole Reid
Lindsay Reid
Charlie Rickard
Sarah Rickard
Pete Robbins
Sue Robbins
Emily Sadler
Mathew Sadler
Mel Sanders
Ken Searle
Valerie Searle
Elliot Sellars
Janie Senior
Robert Senior
Louise Smith
Dan Smyth
Mike Stanley
James Tanquee

John Timperley

Rebecca Timperley

Sue Timperley

Clare Wade Scott

Mandy Walker

Alan Warren

Ian Wasse

Sandra Wasse

Anita Watson

Duncan Watson

Judith H Weir

Victoria Woodall

Joanna Wright

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 ROALD DAHL MUSEUM AND STORY CENTRE

Declares that:

1. The petitioner is specially and directly adversely affected by the whole Bill, because the inclusion of Additional Provision 4 (AP4) moving the tunnel portal site directly adjacent to South Heath, clearly worsens the negative impact of the scheme on our members i.e. residents and businesses in the village of Great Missenden.

2. Your petitioner is The Roald Dahl Museum and Story Centre. The Museum was established in 2005 and since then has drawn well over half a million visitors to the village, strongly supporting the wider local economy and the survival of the village High Street as a place of business. The Museum is concerned about the negative impact of the Bill on Great Missenden as a tourist hub and on the local economy that is dependent on day visitors and other tourists. In addition, the Museum objects to the additional visual, noise and congestion blight that will arise in Great Missenden directly affecting the experience of visitors and as a direct result of the C6 portal eight-year construction period.

3. Great Missenden is situated in the very heart of the Chilterns Area of Outstanding Natural Beauty (AONB), and its >50 village businesses (almost all independent businesses) and wide range of health, education, local transport and other services reflect the significance of the village to the AONB and to the communities within it. Great Missenden has a population of 2,500, making it by far the largest of the Misbourne valley and ridge top villages directly impacted by the promoters' scheme in this part of the AONB.

4. Thanks to the presence of the Roald Dahl Museum and Story Centre, Great Missenden is a tourist and day tripper destination in its own right, as well as part of the wider Chilterns tourist economy. The Museum attracted over 80,000 visitors in 2015-16, including over 12,000 school children. Visitor research in 2015 has shown that the location of the Roald Dahl Museum in the charming village in which he lived and worked is a positive factor in visitors’ decision to come, and yet the promoter has consistently failed to consider the negative impact of its scheme on our crucial local tourist economy.

5. Your petitioner is concerned that the measures contained in AP4 will worsen levels of congestion and rat-running in the village, with direct negative impacts on the tourist economy and the long-term financial viability of businesses in the village. Amongst much positive feedback, a consistent negative theme from Museum visitors’ comments is traffic congestion in the village. Rat-running already
poses a safety risk to the thousands of children who walk along the narrow High Street pavements to get to the Museum, and any increase in this practice caused by additional congestion simply raises the likelihood of a serious incident. The promoter acknowledges that the C6 scheme’s reliance on a new haul road from the Link Rd roundabout will result in a “major adverse significant impact” at the A413/Link Rd junction. This represents a very significant worsening of the impact as reported in the scheme’s original Environmental Statement.

6. Despite the private agreement reached in January 2016 between the promoter and Buckinghamshire County Council to consider options for moving the proposed haul road further north, at the time of writing we believe that the promoter has still not provided the necessary baseline information which the Highways Authority needs to try to develop alternative solutions, all subject to local consultation. We are disappointed that this crucial issue for our village was never aired properly during the Commons Select Committee phase of the Bill, despite concerns being expressed by Committee members about the impact of the revised scheme on the village of Great Missenden, nor do we have any confidence that Bucks CC will in practice be in a position to deliver an alternative given the onerous conditions insisted upon by the promoter in the January agreement.

7. In particular your petitioner requires that spoil removal locally, should be north along the trace rather than via the new haul road and the local road network. The Museum objects most strongly to the fact that little if no consideration has been given by the promoter to the negative impacts of the proposed new road, associated infrastructure, traffic movements and congestion on the village of Great Missenden. If spoil removal via the trace is not agreed, then as an absolute minimum, the proposed new construction access road from the A413/A4128 Link Rd roundabout, the main entrance point to the village from the A413, must be moved much further north (i.e. north of Leather Lane) to avoid such direct impacts on the village centre.

8. Your petitioner is concerned that the addition of the access road satellite compound immediately adjacent to the A413, the repositioning of electricity pylons, the relocation of two material stockpiles to the new access road, the requirement for 10.6 ha of additional land for the construction of the new portal access road on land directly opposite the village centre and the 8 year operation of the main Chiltern north portal satellite compound, will have a severe visual impact on sightlines from the village centre, plus associated noise and air quality impacts on people living, working in and visiting Great Missenden.

9. Your petitioner is dismayed that despite the promoter’s claim in July 2015 that C6 would benefit people “in” Great Missenden, the Bill largely ignores the impacts of the revised scheme on the largest population centre in the Community Forum Area 9 area, failing to consider the socio-economic impacts of the scheme for businesses in the village and in particular its impacts on tourism and road safety.
10. The promoter claims that the extension of the Chiltern tunnel will "result in the retention of a total of 5 jobs," presumably those currently affected by two business demolitions required by the original scheme, but once again the promoter completely ignores the negative impacts of the scheme, including the eight year construction period on tourism related jobs in the heart of Great Missenden.

11. Your petitioner requires the promoter to undertake further viewpoint and noise impact analysis of the revised scheme from west of the A413, including from the village primary school grounds and the residential Elmtree Green.

12. Your petitioner believes that the only practicable solution to the noise, transport, local economy, environmental destruction and other negative impacts of the promoter's scheme is a fully bored tunnel throughout the entire AONB. That is the only measure that would fully protect Great Missenden village and the central Chilterns area in its entirety, delivering very significant environmental advantages including (but not limited to) minimal disruption to our community and to its vital local businesses and services, no loss of jobs, no loss or severance of farmland, a significant reduction in noise issues, much reduced impact on wildlife and local biodiversity, limited damage to the vital AONB tourist economy and amelioration of stress, anxiety and depression among local residents. If that is rejected again, the Association asks that the "C6" tunnel portal site is moved northwards away from Great Missenden village, as an absolute minimum to implement in full the REPA C5 proposal.

14. Your petitioner further requests that Members of the Committee visit our village for a public meeting hosted by the Great Missenden Village Association and also to visit the extended C6 portal site area, including the proposed new access road, before reaching a decision on the extended tunnel issue.

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.

Steve Gardam
Director, the Roald Dahl Museum and Story Centre
14th April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF IVER PARISH COUNCIL

 Declares that:

1. The petitioner is specially and directly adversely affected by Additional Provision 4 (October 2015)

2. Your petitioner

The petitioner is Iver Parish Council (representing the Civil Parish of Iver), which has regard for the quality of life and community wellbeing for all its residents. As the first tier of local government in the area, your petitioner is, under the Localism Act, able to make a major contribution in supporting the community at a local level and assist in bringing life to the changes they want to see.

The Parish of Iver is located within the Colne Valley Park at the narrowest part of the green belt between Slough to the west and the London Borough of Hillingdon to the east. It is a leafy residential area served by narrow rural roads. The impacts of this development will be significant in this rural environment in the Green Belt both during construction and operation.

The construction works are estimated to take 2 years to complete and will include 500 lorry movements a day, all of which will travel on the local roads in the Parish and create dust, noise and poor air quality. This will create a burden of severe impacts for those living on or close to the roads to be used as access routes for the construction sites, affecting their quality of life.

The residents of the canal houseboats and the caravan sites are those who live the closest of all to the depot and its associated works and will be those most affected both during construction and operation.

3. Your petitioner's concerns

Although your petitioner has given evidence to the House of Commons Select Committee, there are matters which still cause your petitioner great concern.

Construction HGV haul route

Your petitioner asks that the detail of the west bound haul route be made available to the local community; in particular the impact of this and its construction on the residents of the canal houseboats and caravan sites, as the majority of the HGVs will now use this route. The route will cross Hollow Hill Lane, causing disruption to the
traffic flow on this widely used north-south connecting route. The Promoter is asked to provide the detail of the impact of this on the traffic on the roads on alternative routes, particularly where these will already be carrying large numbers of HGVs.

Mitigation for Local Impact.

The route for 350 HGVs a day from the construction work will now be directed via the western end of the construction site to the road network on Station Road Langley in Slough. These will then turn north and within 130m enter the Parish of Iver travelling along Langley Park Road to the roundabout where they will join the 75 HGVs a day that will exit via the east of the constructions site and travel north via Iver village. The combined figure of 425 HGVs a day will then travel through the village of Iver Heath to reach the motorway network.

The impact of the HGVs on the residents of Iver will be severe and your petitioner therefore requests that in light of the potential impacts on the Parish, particularly on the residents of the canal boats, the caravan sites and those living on the HGV routes, and taking into account the other developments in the area, the Promoter provides funding for potential improvements to the public realm in the Parish of Iver as it has done in Langley.

Access to the Community and Environment Fund.

Given that the Heathrow Express Depot is not on the HS2 route, it is not clear whether our local community can gain access to the Community and Environment Fund. The criteria for applications to such funds include that the community is on route. For the purposes of eligibility to apply for these funds and other assurances that have been given, your petitioner asks that the Promoter expressly details that the Heathrow Express depot and its associated tracks are part of the HS2 project and included in any reference to on the route.

Community Engagement

Your petitioner is disappointed that there has been no community engagement with our local community at all to date. Thus it was not possible for the community to have any input into the development of any of the proposals, unlike the situation elsewhere along the route. We ask that this situation is rectified as soon as possible.
4. The prayer

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.

Signed .................................................. ..................................................

Print P. SULLIVAN

Clerk Iver Parish Council

Signed .................................................. ..................................................

Print WENDY MATTHEWS

Agent

Date 18/4/16
To the House of Lords  
Session 2015–16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF  

(1) GUY ALEXANDER BURKILL  
(2) LORELY CLAIRE BURKILL  

Declares that:  

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

Your petitioners  

2. The petitioners are a married couple who live at 8 Park Village East, London NW1 7PX. This has been their family home continuously since July 1991. The freehold is part of the Crown Estate and we acquired a long lease, which has since been extended and will expire in March 2133 (i.e. it has about 117 years still to run).  

3. Park Village East ("PVE") is a road immediately adjacent to the section of the existing railway line leading into Euston, and immediately adjacent to the proposed section of high speed line which is designated by the Promoter as "Community Forum Area (CFA) 1 – Euston – Station and Approach".  

4. The Promoters of the Bill have admitted and made it clear that Park Village East and its residents will suffer "major adverse effects" in a number of significant respects by reason of the construction works authorized by the Bill.  

5. Your petitioners are members of the Park Village East Heritage Group ("PVEHG"), which represents residents of Park Village East, London NW1 in the stretch from Nos.1-36. PVEHG has petitioned as a group, seeking a special provision that residents should be treated as entitled to the Express Purchase scheme.  

6. Your petitioners fully support the petition lodged by the PVEHG (petition HL:241), and so far as necessary also adopt it as part of our own. We support and ourselves ask for the relief there sought, viz that we and other residents of PVE(2-36) be entitled to the benefit of the Express Purchase scheme.  

7. In addition, for the reasons set out below:  

- We ask that HS2 be directed to remove the "Park Village East (north)" compound from its plans.  
- We ask that the HS2 be directed to cap the proposed headhouse opposite 8PVE so that it and all its related structures be kept below street level.  

8 Park Village East ("8PVE")  

8. Our family home, 8 Park Village East (below, "8PVE") is Grade II* listed, and lies within a Conservation Area. It is part of a highly significant development, architecturally and historically, designed by John Nash as part of his overall scheme for the Regent’s Park.
9. 8PVE is an excellent example of one of the houses specifically designed by John Nash as part of his development of the Park Villages (Park Villages East and West). 8PVE was built in about 1820. 8PVE is Grade II*, as are the other surviving original Nash houses in the street from Nos.2-36. 8PVE is featured prominently in both of a well-known pair of prints by T. H. Shepherd included in Elmes' set of "Metropolitan Improvements", 1829.

10. Park Village East is now, and has been ever since we acquired our lease in 1991, a beautiful and tranquil residential street of family homes. Although PVE runs alongside the existing railway line into Euston, noise from the line as currently operated is shielded since the line lies within a cutting below a parapet wall. Indeed many visitors are unaware that we live next to a railway line.

11. Your Petitioners' lease of 8PVE granted by the Crown contains terms designed to preserve the overall character of the Park Village (e.g. a requirement to repaint every few years in a stipulated colour ("crown cream") and to a stipulated standard, all within the same year). Similarly, no alterations are allowed to the window frames (so, for example, none of the houses have, or would be permitted to install, double or triple glazing). Although this lease imposes obligations upon us, we are content to accept them because similar obligations apply to the rest of the street and this maintains its overall character.

12. The rear of the house formerly backed onto the Regent's canal (as was strikingly depicted in one of the T.H.Shepherd prints referred to above). However, this stretch of canal was infilled during or soon after WWII and it now forms part of our back garden, which is planted with mature trees. This gives our house and garden a "country house like" feel, entirely consistent with John Nash's original rus in urbe ("country in the city") vision for the Park Villages. During the summer months it is in full bloom, giving much enjoyment and particularly attractive for entertaining visitors.

13. For all the reasons set out above, it will be appreciated that we chose to make it our family home in 1991 because of the outstandingly beautiful and peaceful character of the house, of the garden, and of the locality overall.

14. The only access by road is from Park Village East itself. 8PVE is fortunate in having off-street parking with space for up to four vehicles. As part of our normal family life, we make extensive use of vehicle access. It is important to us not only for personal travel (which routinely involves e.g. heavy shopping and transporting boxes of papers to and from chambers) but also for visitors, for tradesmen, for deliveries, for rubbish collection, and so forth.

Your petitioner's concerns

15. The PVEHG petition (HL:241) demonstrates why this section of PVE will be one of the worst, if not the worst, affected streets in the country (other than those where actual demolition is to take place), due among other things to the scale of construction in our road, the road closures for very long periods of time, and the noise (the highest volume anticipated on the entire line).

16. The nature of the works in PVE currently proposed by the Promoter are, as best we understand them, set out in the PVEHG petition and summarised below:

- a major steel/concrete structure is to be built under the roadway itself;
- multiple ground anchors are proposed to be inserted under some of the houses: the Promoter has not indicated final locations and so we still cannot exclude the possibility that 8PVE is one of them;
the existing retaining wall between the street and the cutting will be
demolished (and existing shrubs in the Plantation above it removed);
this work will involve enormous rigs being placed on the road and large
trenches being dug in it;
these works will involve closure of the road for a period measured in
years, meaning we will not be able to access our own home by road
(and nor will visitors, deliveries, rubbish collection, tradesmen etc). In
addition we are very concerned about emergency access.
a new compound will be operating in Park Village East, directly opposite
our home, for about 10 years;
there will be extremely loud noise over extended periods of time;
work will take place at nights and weekends because the proposal would
not permit work to take place while the existing line is in operation;
an unsightly headhouse is proposed to be built directly opposite 8PVE,
8m high and taller than most of the listed buildings which it faces.

17. HS2 itself acknowledges that the residents of PVE will experience “multiple adverse
effects” as a result of the above. This euphemism does scant justice to the effect on
residents. In practical terms the combination of all the above will be intolerable.
Nonetheless, as shown in the PVEHG petition, the compensation and mitigation
measures currently offered are wholly inadequate.

18. In short, HS2 will transform PVE from a quiet and rural-like residential street into the
epicentre of a massive construction site, inaccessible by road and with relentless
noise at night and day for up to several decades.

Your Petitioner’s future

19. Your first petitioner practises as a barrister. He was born in 1957 and is therefore
now 59 years old. His chambers at 3 New Square, Lincoln’s Inn are about 10-15
minutes away by car from his home at 8PVE, or about 35 minutes on foot (but he is
very concerned that these journey times will substantially increase once HS2
construction starts, given the anticipated traffic chaos in and around Camden: no
high speed or saving of journey time here). Subject to what follows, he hopes to
remain in practice as a productive member of society, and so of course a taxpayer,
for many years still to come.

20. Your petitioners have now lived at 8PVE for almost 25 years. We have made it our
family home and have the greatest possible fondness for it. Despite being so close
to central London, it truly has a rural feel – the rear is surrounded by trees which hide
the buildings in Albany Street, and we face the Plantation at the front and clear views
beyond it. PVE is a very quiet street, and the railway tucked away in its cutting is
essentially unnoticeable.

21. We have no wish to move elsewhere, unless effectively forced out due to intolerable
“adverse effects” from HS2 work. But we now have to confront the real possibility
that it may be impossible to continue to live in our home and at some time in the next
few years we will have to move out because it will be rendered uninhabitable (see
again the PVEHG petition). If that happens, then we will also be considering our
future overall, and in particular your first Petitioner will be considering retiring earlier
than he otherwise would have wished to do.
22. Even then, and even though it would be natural at such an "age and stage" to consider downsizing, it appears that we would be unable to show a "compelling" reason to move for the purpose of the Need to Sell scheme as presently operated. In this regard we refer to the experience of our near neighbours, Mr/Mrs Carn at 4 PVE, who have been turned down twice in the circumstances explained in the PVEHG petition.

23. HS2, acknowledging to some extent the severity of the effects of its proposals, has offered an unconditional but limited assurance for temporary rehousing as follows:

The Supplementary Environmental Statement and Additional Provision Environmental Statement reports that vehicular access could be restricted for up to 12 months to individual properties along Park Village East as a result of works to construct the barrette wall. During the period that the barrette wall work does prevent direct vehicular access to the front of Nos. 6 – 24 Park Village East (outlined in blue on the attached map), the Nominated Undertaker will treat occupiers of the properties as being eligible for temporary rehousing, by reason of the combined extent and duration of restricted vehicular access, ...

But this simply puts us in an impossible dilemma – stay at home and lose road access, or face all the disruption of moving household elsewhere (and subsequently moving back again).

24. Moving home is said to be one of the most stressful and disruptive events in life. Doing it twice (moving out and then back again a year or more later) would double the stress and disruption. Meanwhile there is the worry of what is happening to 8PVE over the extended period when it is left empty. How much of one’s possessions to move, what to leave? Will it be insurable? How does one find temporary accommodation, to what standard, and what negotiations with HS2 will be required – what conditions or limitations might they impose? Unlike a one-off deal for Express Purchase, the whole operation is fraught with stress and uncertainty.

25. An offer of temporary rehousing, while it implicitly and rightly acknowledges that we are a special case and that other forms of mitigation would not suffice, is still not an adequate response by HS2.

26. We adopt all the submissions in PVEHG’s petition regarding Express Purchase – why it should be offered, and why it is fair reasonable and affordable. We would wish to have the option to take it up if and when we so choose. Express Purchase is the only equitable form of compensation for the damage that HS2 will do to our home and our lives.

**New “Park Village East (north)” compound**

27. A new compound is proposed which will be located immediately opposite our home, 8PVE (see map book CT-05-001). SES2 states at para 3.3.14 that

An additional satellite compound, Park Village East (north), will be required to support the reinstatement of Line X, as well as elements of the retaining wall and tunnel portal works.

We do not understand why the reinstatement of Line X necessitates this, and HS2 has demonstrated no genuine need for it. HS2 already proposes a large number of other compounds in and around the Euston throat. A further compound at street level in PVE will exacerbate still further the "adverse effects" which we already face, as described in our first petition.

28. This new compound is entirely inappropriate to the setting of PVE. Its operation will have major adverse effects on viewpoints (4.8 et seq). It will be lit at night (5.3.44). Buildings in it (Portakabins?) will be stacked up to six storeys (5.3.45), so will tower
above our home. It will be in use for six years, from 2018 to 2024 and support about 40 personnel (5.3.69). Plant will approach from Parkway.

29. In relation to traffic, para 3.3.16 states that

The main construction traffic access to the Stage A works will be via the National Temperance Hospital entrance, but with substantial use of the Carriage Shed and Park Village East satellite compound and the Park Village East (north) satellite compound.

So road traffic, and consequential noise from HGVs, outside our home will plainly be substantially exacerbated.

30. The intent of the new compound is said to be to support removal of excavated material (5.3.69-70). But the many other compounds already proposed can equally manage this. Further, we consider that spoil removal should be done by rail rather than road.

31. We ask why the PVE (north) compound is needed in this quiet residential street in addition to the numerous other compounds proposed in the immediate vicinity, given also the presence of immediately adjacent railway lines.

32. There is no pressing need for this additional compound, and HS2 should be instructed to remove it from their plans.

*Headhouse immediately opposite our home at 8 PVE*

33. The map book accompanying SES2 contains mock-up photomontages showing the appearance of a proposed "headhouse" immediately opposite our home. See LV-01-003 and LV-01-004.

34. It is depicted in these photomontages, and in other HS2 diagrams of which we have copies, as a huge featureless rectangular block. This unsightly structure is entirely out of keeping with the historic setting of PVE and is wholly unacceptable.

35. Your first Petitioner attended a drop-in information session organised by HS2 at the Surma Centre, NW1, on 9th September 2015, just after AP3 was published. Among other things, he attempted to obtain further details from HS2 as to why the headhouse is so enormous, and what is in it, but without success. Rupert Walker of HS2 was there, with a number of engineers and other staff. Mr Walker called over some of his engineers. Despite going into a huddle, they were simply unable to explain the purpose and extent and content of the portion 8m above street level.

36. We have also tried to find out what it is from SES2. Para 5.2.43 (last bullet) says

- a headhouse which will be constructed at the high speed tunnel portal. It will be a multi-storey structure, with the main structure below street level, which will straddle the western high speed track immediately south of the tunnel entrance. The structure will contain mechanical, electrical and safety equipment to serve the tunnel. There will also be an auto-transformer station. Its roof will be at approximately street level, though there will be an entrance building on a smaller footprint up to 8m in height above street level for access and egress.

This additional reference to the auto-transformer station is difficult to understand. (At SES2 para 5.4.42 it is said to be at track level). The paragraph is ambiguous as to whether the roof and entrance building are of that or of the headhouse. Assuming the latter, the statements that the roof will be at street level and the entrance building will be on a "smaller footprint" are inconsistent with all the photomontages.
37. Para 5.4.34 doesn’t mention the auto-transformer station. Instead it says:

A headhouse will be constructed at the tunnel portal. It will be a multi-storey structure, with the main structure below street level, and will straddle the western high speed track immediately south of the tunnel entrance. The structure will contain mechanical, electrical and safety equipment to serve the tunnel. There will be a single storey structure at street level (approximately 8m high in relation to the adjacent street level) to provide access from street level to enable maintenance and repair of plant in the headhouse.

So here, the entrance is said to be to the headhouse. But HS2’s statement that “There will be a single storey structure at street level (approximately 8m high in relation to the adjacent street level)” is unintelligible. At 8m above the street, it is plainly not single storey, and will be as tall as our entire home. HS2 fails to explain how a “single storey structure at street level” which is merely “to provide access from street level”, and there “to enable maintenance and repair” should be 8m high in relation to street level.

38. SES2 para 12.4.19 also doesn’t mention the autotransformer station. It says:

The roof of the headhouse will be at street level and will provide a proportion of the emergency parking required at the portal, with the road along Park Village East providing the remainder. There will be an entrance building for access and egress on the headhouse roof, occupying a relatively small footprint and up to 8m in height above street level.

Again, the statement that the headhouse roof is at street level, and the reference to a “relatively small footprint”, are entirely inconsistent with HS2’s photomontages. So too is the statement here that the roof will be used for parking. There is also a lack of clarity in the new suggestion that PVE will provide the remainder of emergency parking – does this mean that part of the street will be permanently appropriated?

39. So far as one can get any consistent picture from the above, the 8m structure is merely for some kind of entrance. It is therefore wholly unnecessary that it be so enormous. (And if this is wrong, then SES2 is misleading). An 8m tall entrance puts one in mind of the British Museum portico, not a mere functional access point.

40. It is also to be recalled that the headhouse foundations will be many metres below street level. There is no need to build above street level.

41. For the purpose of the hearing before the Select Committee of the House of Commons, HS2 produced a diagram purporting to be a cross section of the headhouse. It was both highly misleading and wholly uninformative – it was shown as much lower than the houses in PVE, though it will not be, and it was entirely devoid of detail showing merely an empty rectangle.

42. If HS2 cannot explain clearly and consistently what this headhouse is, and what it is for, and why it needs to be so tall, and what it will look like, then they should not be proposing it and should certainly not be permitted to build it.

43. HS2 should be ordered to cap the headhouse and all its related structures at street level. There is plenty of room to build below that. Anything taller will be ruinous to the setting of our home (which is within a Conservation Area) and of the rest of PVE.

Other matters

44. We share more general concerns as to noise, dust, traffic management and so forth with other residents in PVE and in Camden. We are particularly concerned that HS2’s proposals for noise insulation will be both (i) inadequate, given the very high levels of noise, and (ii) impractical, because double glazing cannot be fitted to these historic houses in PVE. However we understand that others will be addressing these issues, and we will support their position but do not need to add anything.
Relief which we seek from the Select Committee

45. For all the reasons set out above, we respectfully ask the Select Committee

- To grant for our benefit the relief sought in the PVEHG petition (petition HL:241), viz that we (along with other members of the PVEHG) be entitled to the benefit of the Express Purchase scheme.

  Unless such relief is granted, your Petitioners are paying twice over for HS2: first as taxpayers, and then again a second time by way of the enormous unwarranted and intolerable impact on their private and family lives, their home, and their right to the peaceful enjoyment of their property.

- To direct HS2 to remove the “Park Village East (north)” compound from its plans.

- To direct HS2 to cap the proposed headhouse opposite 8PVE so that it and all its related structures be kept below street level.

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.

Guy Alexander Burkill               Lorely Claire Burkill

8 Park Village East, London NW1 7PX

April 2016
To the House of Lords

Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF The Wellcome Trust by its sole trustee The Wellcome Trust Limited ("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 Wellcome Trust, a charity registered in England, no. 210183, by its sole trustee THE WELLCOME TRUST LIMITED (Company number 2711000) whose registered office is at 215 Euston Road London NW1 2BE.

2.2 Your Petitioner was created in 1936 on the death of Sir Henry Wellcome. Through his will, Wellcome vested the entire share capital of The Wellcome Foundation Limited, the pharmaceutical company he founded, in a charitable trust dedicated to furthering understanding in the biomedical sciences and the history of medicine.

2.3 Your Petitioner is the largest charity in the United Kingdom (UK) and the second largest medical research charity in the world. It funds innovative biomedical research, in the UK and internationally.

2.4 Your Petitioner is a major funder of research in the UK and in low- and middle-income countries. It helps to create world-class research environments in the locations in which it funds, and is a prominent advocate for research and health. Your Petitioner works to shape the global research agenda and to influence policy at national and international levels.

2.5 Your Petitioner supports public debate about biomedical research and its impact on health and wellbeing through Wellcome Collection, a free visitor space which explores the connections between medicine, life and art through galleries,
exhibitions and public events; and the Wellcome Library, one of the world’s major resources for the study of medical history.

2.6 Your Petitioner’s funding has supported a number of major successes, including:

- sequencing the human genome
- establishing the UK Biobank
- development of the antimalarial drug artemisinin
- pioneering cognitive behavioural therapies for psychological disorders
- building the Wellcome Wing at the Science Museum.
- the Wellcome Trust Case Control Consortium, the largest ever genetic study of common diseases such as diabetes, coronary heart disease and bipolar disorder.

2.7 Your Petitioner is (along with University College London, Imperial College London, Cancer Research UK, the Medical Research Council and Kings College London) one of the founding partners of the Francis Crick Institute of Biomedical Research.

Your Petitioner’s Charitable Objects

2.8 The objects of your Petitioner, as set out in its Constitution, are as follows:

To protect, preserve and advance all or any aspects of the health and welfare of humankind and to advance and promote knowledge and education by engaging in, encouraging and supporting:

- research into any of the biosciences; and

- the discovery, invention, improvement, development and application of treatments, cures, diagnostics, and other medicinal agents, methods and processes that may in any way relieve illness, disease, disability or disorders of whatever nature in human beings or animal or plant life; and

To advance and promote knowledge and education by engaging in, encouraging and supporting:

- research into the history of any of the biosciences; and

- the study and understanding of any of the biosciences or the history of any of the biosciences.

2.9 Your Petitioner’s current charitable focus is set out in a recently refocused and published strategy framework. It builds on your Petitioner’s 2010 Strategic Plan and has no fixed time-frame. The framework is intended to guide expenditure of up to £5 billion over the five years to 2020 and to enable your Petitioner to adapt as new ideas and challenges arise, drawing on insights from its 80 years of achievement and its broad network of experts. It is intended to enable your Petitioner to respond quickly in a crisis, as it did to support new vaccines for Ebola.

2.10 The framework, broadly put, is as follows:

“to improve health, through three complementary approaches across science, research, and engagement with society:
1 Advancing ideas

We support great ideas and inspired thinking.

2 Seizing opportunities

We bring ideas together to make a difference.

3 Driving reform

We change ways of working so more ideas can flourish."

2.11 Initiatives such as those outlined in your Petitioner's petition against the Bill sit within this framework.

2.12 In the year to 30 September 2014, your Petitioner's charitable expenditure amounted to £728 million, including: renewal of the Wellcome Trust Centre for Molecular Parasitology; funding of UK Biobank; £434 million, devoted to science and £65 million devoted to innovations.

Your Petitioner's affected properties

2.13 Your Petitioner owns five major properties likely to be adversely affected by the works to be undertaken and/or powers exercised pursuant to powers sought under the Bill. All are in the London Borough of Camden, four abut Euston Road, of which two also abut Gower Place, one also abuts Gordon Street, one also abuts Gower Street and two also abut Stephenson Way. The other is located on the eastern side of North Gower Street. Two properties are operational and three are part of your Petitioner's investment portfolio.

2.14 The properties (in which your Petitioner's interests are in each case freehold) are as follows:

183 Euston Road - the Wellcome Building - home to Wellcome Collection and the Wellcome Library and abutting Euston Road, Gordon Street and Gower Place.

215 Euston Road - the Gibbs Building - your Petitioner's administrative headquarters and abutting Euston Road, Gower Street and Gower Place.

210 Euston Road - office accommodation held by your Petitioner as an investment and let to the Aga Khan Foundation under a lease expiring on 31 August 2018.

200 Euston Road - Bentley House - developed for student accommodation and fully occupied and let on 50-week assured shorthold tenancies to students since completion in 2014.

184-188 North Gower Street - three buildings converted to provide a total of 9 residential apartments (six of which are two bedroom and three of which are one bedroom) let on assured shorthold tenancies.

2.15 Your Petitioner also holds a lease in a tunnel passing beneath Euston Road between the Wellcome Building and numbers 200 and 210 Euston Road.

2.16 While your Petitioner supports the principle of a new railway system connecting London and the West Midlands, operations from its properties abutting the Euston Road and its property interests will be severely affected by the proposed works and
the Powers which would be granted by the Bill to the Secretary of State and/or the nominated undertaker.

2.17 None of these properties is, on its face, to be compulsorily acquired but all would be subject to powers contained in the Bill if enacted and all are in such close proximity to the Promoter’s works that your Petitioner and the operations carried on from its properties are likely to be disturbed and injuriously affected.

2.18 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.

2.19 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 experts 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.

2.20 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."

2.21 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.

2.22 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 Background and general

3.1.1 The major HS2 related works at Euston are projected to last for seventeen years or more. Works in the vicinity of your Petitioner’s premises on Euston Road and backing onto Gower Place and Stephenson Way are extensive. The work site on Gordon Street adjacent to the eastern facade of your Petitioner’s Wellcome Building at the junction with Gower Place and Gordon Street is projected to be occupied for 10 years. Whilst your Petitioner welcomes the safe crossing of Euston Road that will be provided by the new subway once completed, public transport, pedestrian and cycle access to your Petitioner’s buildings will be heavily disrupted for much of the 10 year period. So too, unless appropriate protections are put in place, are emergency exits, muster points and escape routes. Of particular concern to your Petitioner is the potential disruption to Gower Place from which both the Wellcome Building and Gibbs Building are serviced.

3.1.2 The environment that your Petitioner currently enjoys will be seriously undermined by the works unless they are closely controlled. If close and enforceable controls are not applied, for seventeen years or more the Euston area will be an environmentally challenged building site and there will be a serious risk of heavy harm to the operation of your Petitioner’s premises, damage to achieving its objectives at the Wellcome Building, and consequent economic loss.

3.1.3 Your Petitioner also has a serious concern that unless works and traffic movements are strictly controlled, the national and international reputation of the Wellcome Collection and Wellcome Library as a destination of choice will be seriously impaired.

3.1.4 Your Petitioner further outlines the basis for its concerns first by indicating in more detail the nature of its premises which would be affected and their sensitivity to works and disruption of the kind likely in connection with HS2 and associated developments and secondly by highlighting concerns related to the Promoter’s proposals for roads servicing those properties.

3.1.5 Wellcome Building

(a) The Wellcome Building (183 Euston Road) is home to both Wellcome Collection and the Wellcome Library. The Wellcome Building is located in the Bloomsbury Conservation Area. It was designed by Septimus Warwick, constructed in 1932 and in 2005/2006 subject to extensive remodelling and refurbishment (at a cost approaching £33million) to designs by Hopkins Architects (architects of highly regarded buildings such as
Portcullis House, Glyndebourne Opera House and the London 2012 Olympic Velodrome). It comprises approximately 18,000m2 gross internal area and is arranged over two below ground floors, a ground floor and six above ground floors.

(b) The Wellcome Building combines four contemporary galleries together with the world-famous Wellcome Library, public events forum, café, bookshop, conference centre and members’ club, to provide visitors with radical insight into the human condition.

(c) Wellcome Collection builds on the vision, legacy and personal collection of Wellcome Trust founder Sir Henry Wellcome, and is part of your Petitioner’s mission to foster understanding and promote research to improve human and animal health.

(d) The nine-storey Wellcome building houses more than 1300 exhibits across three galleries. Examples include work by artists such as Gormley, da Vinci, Warhol, Marc Quinn, John Isaacs, Christine Borland and Martin Parr, as well as Aztec sacrificial knives, amputation saws, Nelson’s razor and a DNA-sequencing robot.

(e) The Wellcome Library contains over two million items and is one of the world’s greatest collections for the study of the history and progress of medicine. The public areas of the Library span two floors and include the fully restored Reading Room, first used as a Hall of Statuary by Sir Henry Wellcome in 1932. The Library contains 750,000 books, a film and audio collection of 2,500 titles, 600 archival collections, 70,000 rare books (published before 1850), and more than 250,000 paintings, prints and photographs. Artefacts range from the Nuremberg Chronicle (1,493), a book depicting the history of the world with 800 woodcut illustrations, to fragments of Books of the Dead from ancient Egypt, to 21st-century born-digital biomedical archives. The Wellcome Library’s entire collection, laid end to end, would cover a distance of over 18 km – equivalent to 187 times the height of Big Ben.

(f) Your Petitioner recently undertook a major redevelopment project to expand the public spaces available within Wellcome Collection, at a cost of £17.5 million. Visitor numbers to Wellcome Collection and the Wellcome Library in 2013 exceeded 450,000. The projected increase in footfall, in consequence of your Petitioner’s redevelopment, is forecast to range from a base scenario of 760,000 to a high scenario of over 1 million annually from 2015/16.

(g) The Wellcome Building is of steel frame structure with Portland stone cladding and clay pot floors. It includes a tunnel beneath Euston Road (Plot No 25) providing a link to the site of Bentley House (200 Euston Road) and 210 Euston Road opposite.

(h) Basement areas are used for climate controlled iconographic storage, conference centre, staff amenities and a car park. Exhibition galleries are on ground, first and second floors.

(i) Vehicular access to and servicing of the building is via Gower Place.

(j) Data lines into and out of the building run along and across Gower Place and Euston Road, both of which are to be subject works by the Promoter.
Particular sensitivities of and within this building to physical effects from works include:

(i) the need within exhibition galleries to have a strictly controlled environment as to temperature, humidity, lighting and stability. Alarm systems are highly sensitive to movement and vibration. Artefacts, manuscripts and works of art within the Wellcome Collection are themselves highly valuable and insurance requires that strict parameters be observed as to their storage and exhibition. Where exhibits are provided on loan from other museums and collections no less strict terms, conditions and parameters are applied.

(ii) your Petitioner's IT server room is located within a closely climate controlled environment on the 5th floor of the Wellcome Building. Dedicated data lines run along Gower Place and Euston Road. Both the data room itself and the data conduits serving it are highly sensitive to interruptions or fluctuations in power supply as well as to any adverse effects from direct movement, interference or vibration.

(iii) the structure of the Wellcome Building, being Portland stone cladding on a steel frame and with clay pot floors, is particularly susceptible to transmitting noise and ground-borne vibration.

(iv) Wellcome Collection and the Library are among the largest and highest quality of their kind in the world. Areas used for iconographic storage require a strictly controlled environment in which temperature, humidity and light are kept within narrow parameters as is avoiding movement and vibration. This is achieved by purpose built high specification climate control systems and restricting access to the areas concerned. Nevertheless this makes them hyper-sensitive to power fluctuation and especially sensitive to damp or water ingress.

(v) 24/7 usage, with particularly intensive use between 0800 and 2200.

(vi) climate control systems within the building need particularly to manage airborne dust, particulates and atmospheric pollution. Especially fine filters are fitted to climate control fresh air intakes.

(vii) for security, maintenance, fire escape and mainstream usage reasons it is essential that pedestrian and vehicular access to the rear of the Wellcome Building and especially the loading bay area is available at all times.

(viii) the dry-moat area and retaining wall are both important to enabling the structure of the building to remain as dry and free from traffic borne vibration as possible and to maintaining a climate controlled and quiet environment inside the building. It is vitally important that the integrity of both are maintained.

(ix) effects of recent investment designed to increase footfall, from a base scenario of 760,000 to a high scenario of over 1 million annually from 2015/16, stands to be negated by disruption caused by the works.
3.1.6 Gibbs Building – 215 Euston Road

(a) The Gibbs Building is your Petitioner’s international headquarters. The building was designed by Hopkins Architects and completed in 2005. It has since won a number of awards presented by organisations such as the Royal Institute of British Architects and British Council for Offices.

(b) The building comprises approximately 30,900 m² arranged over 12 floors, including two below ground, one at ground level and 9 above ground floors. The above ground floors are arranged around a central atrium in which an 8-storey Thomas Heatherwick sculpture is displayed against the west elevation.

(c) The building is steel-framed with sustainably designed, glazed, ventilated facades. Vehicular access and servicing is via Gower Place and the structure of the Gower Street entrance and ticket hall for Euston Square station is integrated with the foundations of the building.

(d) Lower ground floors include climate controlled book storage at both levels and IT servers upon which your Petitioner’s activities are heavily reliant.

(e) Data lines into and out of the building run along and across Gower Place and Euston Road, both of which are to be subject works by the Promoter.

(f) Particular sensitivities of your Petitioner in relation to this building include:

(i) the Thomas Heatherwick sculpture which is located against and inside the west elevation of the Gibbs Building. This is 8 storeys high and made up of many thousands of glass balls suspended from thousands of stainless steel wires attached to a cantilevered high level steel structure.

(ii) book storage areas (controlled environment – see comments above on iconography storage within the Wellcome Building).

(iii) IT (server room in -2, data lines via Gower Place and Euston Road, full-building data network and wifi). Both the server room itself and the data conduits serving it are highly sensitive to interruptions or fluctuations in power supply as well as to any adverse effects from direct movement, interference or vibration.

(iv) The Gibbs Building includes under-pavement extensions both on its Euston Road frontage and to the south of the London Underground Limited (“LUL”) Euston Square station entrance. These create sensitivity to both ground-borne vibration and to any subterranean escapes of water which may arise as a consequence of the works. The area close to the LUL entrance was constructed by your Petitioner, when the Gibbs Building was constructed, to include a new LUL Euston Square station access and related subway from Gower Street. Your Petitioner was required to meet stringent LUL standards and requirements when doing so. This under-pavement area has been included within Plot 24 of the Promoter’s limits of land to be acquired or used.
(v) fresh air intakes (see comments above in relation to the Wellcome Building).

3.1.7 210 Euston Road

(a) This building is a modern, well-appointed office building comprising approximately 5900 m² floor space, the leaseholder of which is the Aga Khan Foundation. The premises are used by a branch of the Aga Khan Foundation devoted to the education concerning the history of Muslim civilisation. The lease runs until August 2018. It is held as an investment property.

(b) 210 Euston Road directly abuts 200 Euston Road (see below).

3.1.8 200 Euston Road

(a) Number 200 Euston Road is an investment property belonging to your Petitioner and managed by IQ Student Accommodation on your Petitioner’s behalf. It backs onto and is serviced from Stephenson Way, which is accessed via North Gower Street.

(b) The property provides 171 student bed spaces within purpose built high quality units. The building has been designed to the highest standards of sustainability and has achieved BREEAM very good rating.

(c) When granted planning permission on appeal in 2012, the Inspector noted the pressing need for housing in London (the units would count towards that supply) and the pressing need for student accommodation, particularly for post-graduates, in the London Borough of Camden. The Inspector noted also that the development would achieve an appropriate balance between maximising development and respect for the townscape and that if linked to academic institutions in Camden or adjoining boroughs, would benefit the surrounding area and the status of those institutions.

(d) The building’s construction is such that it relies heavily on passive ventilation (open windows) and its design is such that bedspaces are orientated towards Stephenson Way – ostensibly a quieter façade.

3.1.9 184-188 North Gower Street

184 to 188 North Gower Street is an investment property belonging to your Petitioner. It is on the eastern side of North Gower Street and provides 9 residential apartments over lower ground, ground, first and second floors. The apartments were recently refurbished to a high standard behind existing Georgian facades.

3.1.10 North Gower Street, Gower Street, Gower Place, Gordon Street, and Euston Road

(a) The whole of Gower Place; those parts of Gower Street, Gordon Street and Euston Road abutting your Petitioner’s properties to the south of Euston Road; the parts of Stephenson Way and North Gower Street from which your Petitioner’s properties to the north of Euston Road are serviced and/or accessed are:

- within the limits of land to be acquired or used;
- (south of Euston Road) comprised in plots 19 to 25 inclusive;
• (north of Euston Road) comprised in Plots 56 and 57; and
• within the Table 3 of Schedule 4 to the Bill, which denotes roads which may be temporarily stopped up.

(b) 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).

(c) 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.

(d) 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.

(e) Your Petitioner's properties the Wellcome Building and 200 Euston Road are both within the Bloomsbury Conservation Area. Your Petitioner's critically important service media conveying critically important utility and data services run within Euston Road, Gower Street, Gower Place and Gordon Street.

(f) The Promoter's Environmental Statement predicts significant adverse environmental effects on receptors in North Gower Street in terms of noise, air quality, visual effects in consequence of use of North Gower Street by construction vehicles, increases in traffic flows and extensive service diversion works. It is largely silent about effects in relation to other roads.

(g) Your Petitioner is further concerned about the potential for these roads to be stopped up temporarily with consequent prevention of or limitations on pedestrian and vehicular access, potential interference with emergency exits, escape routes and muster points, and major interference with the enjoyment of your Petitioner's operational and investment buildings.

3.1.11 Further matters of concern
Your Petitioner has identified the following further causes for concern from material published in connection with Additional Provision 3 as now absorbed within the Bill:

- 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 Petitioner’s premises on Euston Road;

- underground services at Euston underground stations being likely to be 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;

- 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;

- proposals for unnecessarily lengthy use of Gordon Street between Endsleigh Gardens/Gower Place and Euston Road even when no construction activity is programmed;

- 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, North Gower Street, 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;

- 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;

- acknowledged adverse visual effects on the Wellcome Building overlooking the Gordon Street and/or Euston Square Gardens construction compounds;

- the noise and amenity environment on Euston Road and Gordon Street in the vicinity of your Petitioner’s Wellcome Building being such as to deter both visitors to its exhibitions and use of conference facilities, function rooms and exhibition space with consequent loss of income for application towards your Petitioner’s running costs and charitable activities;

- the noise and amenity environment on Euston Road and North Gower Street in the vicinity of your Petitioner’s 200 and 220 Euston Road premises and its 184-188 North Gower Street
premises being such as potentially to cause nuisance to your Petitioner’s tenants and to reduce occupancy and/or rental levels with consequent loss of investment income for application towards your Petitioner’s running costs and charitable activities;

(b) It is of concern to your Petitioner 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 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 the Petitioner 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.

3.2 Gordon Street Works and Compound

3.2.1 Your Petitioner notes 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 Wellcome Building. It also notes 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.

3.2.2 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) and your Petitioner’s under-Euston Road tunnel.

3.2.3 Your Petitioner welcomes the proposed new pedestrian subway and entrance to Euston Square Underground but is concerned (and asks 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 Petitioner 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 Petitioner’s 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;
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

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 Religious Society of Friends in Britain such as the Grade II listed Drayton House and Wates House and the Kathleen Lonsdale Building.

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

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;

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;

the Promoter should only 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;

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;

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;

3.3 Period and nature of the disturbance and disruption

3.3.1 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.

3.3.2 Your Petitioner is deeply concerned that, absent sufficient and effective impact avoidance and mitigation measures, it could suffer severe financial and operational consequences as a direct and sole result of the expected impacts arising from the HS2 Bill works.
3.3.3 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.

3.3.4 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.

3.3.5 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.

3.3.6 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.

3.4 Noise, vibration, visual effects, light pollution, dust and atmospheric pollution

3.4.1 Your Petitioner’s premises are located in close proximity to 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 Euston Road, Gower Place, Stephenson Way and Regnart Buildings;
• Work sites at Cobourg Street, Melton Street, Euston Square (East and West) and Gordon Street.

3.4.2 Your Petitioner is concerned about noise during construction and operation of the works. Your Petitioner's properties are used for offices, library, gallery and museum space, conference facilities, residential purposes and as student residences. Reasonable peace, quiet and tranquillity is important at all times.

3.4.3 Your Petitioner is concerned that heavy goods and other construction vehicles will be directed and/or left standing on Gower Place close to your Petitioner's premises with consequent adverse effects on air quality. It requests 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 routing of Works traffic away from Gower Place; and

(c) to prevent diversion and displacement of non-Works traffic onto Gower Place in each case to ensure that the air quality in the vicinity of your Petitioner's 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 Petitioner receives an enforceable undertaking from the Promoter to that effect.

3.4.4 Your Petitioner has similar concerns in relation to potential effects on North Gower Street and makes equivalent requests to those outlined above in relation to Gower Place.

3.4.5 Your Petitioner requests in addition that it 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 the Wellcome Building or the Gibbs Building.

3.4.6 Your Petitioner is concerned also about vibration, both during construction and on completion of the works. Your Petitioner fears that damage will result from vibration if piles in the vicinity are driven rather than bored or hand-dug. Your Petitioner fears that vibrations caused by tunnelling or other major excavation...
activities will cause disturbance to the occupiers of its properties. Your Petitioner also fears that other construction methods yet to be planned may also cause vibration.

3.4.7 Your Petitioner is concerned about settlement and vibration effects on and other potential damage to its properties and their contents. Your Petitioner would wish to see effective measures in place to prevent damage before the commencement of any works.

3.4.8 Your Petitioner is concerned that Schedule 2 to the Bill does not have sufficient scope to include all possible methods of protecting structural integrity. Your Petitioner would wish to see that Schedule extended to cover all possible integrity preservation, damage avoidance and mitigation methods that might be employed, while retaining flexibility for future redevelopment.

3.4.9 Your Petitioner is further concerned that Clause 2 of and Schedule 2 to the Bill would entitle the Promoter or its nominated undertaker compulsorily to enter onto land within the limits of deviation or land to be acquired or used and other land within a relevant distance to survey, strengthen buildings, install and operate monitoring apparatus. It is vitally important that your Petitioner's properties are kept secure and that your Petitioner has control over what happens within and to them. Your Petitioner therefore requests that the Promoter be required to undertake to exercise these powers in respect of your Petitioner's properties only to the extent requested by your Petitioner to do so and not to exercise these powers in respect of your Petitioner's properties unless requested to do so.

3.4.10 Where surveys or protective works are proposed to or in the vicinity of your Petitioner's properties, your Petitioner requests that they are only undertaken to a design, at a time and in accordance with a specification first approved by your Petitioner, that your Petitioner has the opportunity to carry out those surveys and works at the cost of the Promoter and that otherwise your Petitioner has direct rights of redress against the person carrying out such surveys and protective works.

3.4.11 Your Petitioner recollects that when works were carried out as part of the construction of the Gibbs Building, your Petitioner was required to make commitments to London Underground Limited as to the quality and specification of works to be carried out and as to the precautions deployed to guard against damage to London Underground's infrastructure and apparatus. Your petitioner requests that when Works Numbered 1/1A, 1/4A, 1/4 and 1/3 are carried out, the Promoter and the nominated undertaker should be required to agree with your Petitioner an appropriate specification and method statement and should undertake to your Petitioner to observe no lesser standards, specifications and precautions for the protection of your Petitioner's properties than applied to your Petitioner when carrying out works in close proximity to the London Underground system and to indemnify your Petitioner against the cost of making good any damage which might otherwise result.

3.4.12 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.
3.4.13 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.

3.4.14 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.

3.4.15 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.

3.5 Programming and Notice

3.5.1 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.

3.5.2 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.

3.5.3 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 by the Promoter.

3.6 Flood, Groundwater and Surface Water

3.6.1 Your Petitioner's premises have basements. These spaces perform functions essential to its operations and are in the case of the Gibbs Building and the Wellcome Building used to store priceless and unique artefacts and for conference purposes. 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.

3.6.2 Your Petitioner's premises 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.

3.6.3 Your Petitioner's premises are 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.

3.6.4 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.

3.6.5 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.

3.6.6 Your Petitioner therefore asks 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.

3.7 Access and servicing

3.7.1 Your Petitioner takes access from or along the following highways: Euston Road, Gordon Street, Melton Street, Stephenson Way, Regnart Buildings, Euston Street, North Gower Street, Endsleigh Gardens and Gower Place.

3.7.2 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, Gower Place, Endsleigh Gardens, Regnart Buildings, Melton Street and Euston 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.

3.7.3 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 Endsleigh Gardens, Gordon Street, Gower Place, Stephenson Way, North Gower Street and Euston Road. 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.

3.7.4 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.
3.7.5 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 Endsleigh Gardens, Gower Place, North Gower Street, Euston Street, Regnart Buildings or Stephenson Way;

(f) neither Ensleigh Gardens nor Gower Place is used as a taxi rank or taxi holding area;

(g) construction vehicles will not use any of Stephenson Way, Euston Road, North Gower Street, Euston Street, Regnart Buildings or Gower Place other than for purposes limited to carrying out (and during) utility works within the boundaries of that particular road;

(h) not to divert traffic from Euston Road, Gower Street, Gordon Street or Upper Woburn Place onto Gower Place or Endsleigh Gardens and similarly in relation to North Gower Street.

(i) that emergency exits, escape routes and muster points in respect of each of your Petitioner’s properties must be kept clear and unobstructed at all times during which works are being undertaken.

3.8 Utilities

3.8.1 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.

3.8.2 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 may necessitate temporary disconnection of services whilst they are being carried out.

3.8.3 Unplanned interruption of services or in the case of certain critical services the interruption without a substitute being available at all times could be severely damaging to your Petitioner’s operations.

3.8.4 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.

3.8.5 Your Petitioner notes with concern that major works (Work 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 to your Petitioner’s tunnel under Euston Road linking to the Wellcome Building. Your Petitioner is gravely concerned at the consequent risk of damage generally and/or to water and waste-water conveying infrastructure and of water or wastewater escape to or in the vicinity of your Petitioner’s tunnel and your Petitioner’s properties, particularly if damage to the foundations of your Petitioner’s buildings also results from the works.

3.8.6 Since your Petitioner’s basement and sub-basement areas are used for storage of priceless and irreplaceable artefacts and materials, your Petitioner is concerned that special care must be taken by the Promoter and its nominated undertaker in carrying out the works concerned. Your Petitioner emphasises that enforceable undertakings should be required of the Promoter requiring:

(a) agreement of a specification and method statement with your Petitioner 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 Petitioner.

3.9 Parking

3.9.1 Your Petitioner’s premises rely on on-street parking spaces, particularly for blue badge users.

3.9.2 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.

3.10 **Vent shaft works and public realm**

3.10.1 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.

3.10.2 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.

3.10.3 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.

3.10.4 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.

3.11 **Crane Oversailing**

3.11.1 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.

3.11.2 Your Petitioner therefore asks the Committee to direct the Promoter that any crane oversailing of premises close to your Petitioner’s premises:

(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.

3.12 Shortcomings of the Compensation regime under the Bill

3.12.1 Your Petitioner is concerned that in order to avoid serious prejudice to its operations and if appropriate protective terms cannot be agreed with the Promoter, it may be necessary to procure alternative premises and to rehouse sensitive artworks, documents and artefacts away from the areas likely to be affected by the Works. Your Petitioner is concerned that the compensation provisions in the Bill would not allow costs in connection with such activities to be recovered. Your Petitioner therefore requests that provision is made in the Bill or that an undertaking is required of the Promoter and enforceable by your Petitioner to ensure that all costs of any such activities on the part of your Petitioner are indemnified by the Promoter as a precondition to proceeding with the Works authorised by the Bill.

3.12.2 More generally your Petitioner is concerned that the compensation regime proposed in the Bill may be such as to preclude recovery by your Petitioner of costs for disturbance, severance or injurious affection to some of its properties unless land is acquired or contiguous and adjacent land is acquired from your Petitioner. Your Petitioner is concerned that disruption deriving from the works will be extensive and that your Petitioner will be severely and adversely affected even if land is not acquired or if compensation under the Compensation Code proposed by the Bill would not be available. Your Petitioner requests that the Compensation Code proposed by the Bill should be modified such that loss suffered by your Petitioner as a consequence of construction of works nearby should be recoverable even if land is not acquired or if land acquired would be too remote from the loss suffered to ground a claim.

3.12.3 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.

3.12.4 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.

3.12.5 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 Petitioner is such that it would be against the public interest for your Petitioner to suffer uncompensated loss in consequence of the HS2 works.

3.12.6 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.

3.13 Burden of increased costs including maintenance, insurance and professional fees associated with HS2 and engagement processes

3.13.1 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.

3.13.2 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.

3.13.3 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 General Practitioners ("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 General Practitioners ("RCGP"), which is a registered charity and membership organisation representing over 50,000 GP members, based at 30 Euston Square, London NW1 2FB. The RCGP was founded in 1952. HRH Prince Philip, the Duke of Edinburgh, is the RCGP's patron and in March of 2014 attended a ceremony to officially open your Petitioner's building following completion of the extensive refurbishment project that commenced in 2011. Your Petitioner is the professional membership body and guardian of standards for family doctors in the UK, working to promote excellence in primary healthcare.  

2.2 Within the original Bill your Petitioner's building was referred to under the title, 'Offices at 1-9 Melton Street'. The building also has one further title, '194-198 Euston Road'.  

2.3 Your Petitioner's property is located immediately adjacent to the location of proposed construction sites at Stephenson Way, Melton Street, Euston Square Gardens and Cobourg Street. The services entrance to your Petitioner's property is also situated on Stephenson Way which has been identified as a construction traffic route during the construction phase of the Scheme. Its two pedestrian entrances (main and staff) are from Melton Street, which is also identified as a significant construction vehicle route.
2.4 Your Petitioner has owned and/or occupied the property at 30 Euston Square since early 2010. The property was purchased prior to the publishing of the first HS2 proposal.

2.5 Following the purchase of your Petitioners’ property in 2010, funded by the sale of its previous headquarters building, a large scale renovation and refurbishment project was undertaken to tailor the building to its specific needs, the facilities of which are highlighted in paragraph 2.8. This work was funded by a commercial bank loan that has recently been refinanced.

2.6 Your Petitioners’ building has been nominated for a number of awards related to the unique design and the refurbishment/recycling of a building listed at Grade II* that had fallen into disrepair under previous ownership. Your Petitioners’ property has very quickly become a well-recognised and prestigious conference and event venue in London and within a year of operating was placed at number 12 in the UK’s top 20 venues, as voted for by readers of Event Magazine.

2.7 The property has frontages onto Euston Road, Melton Street and Stephenson Way. It has both its main and staff entrances on Melton Street, the examination centre entrance and disability access on Euston Road and a rear entrance on Stephenson Way that acts as the Services or 'goods in' entrance.

2.8 Your Petitioners’ property accommodates all of the charitable activities of RCGP and includes:

- a purpose built examination centre that runs the professional entry examination required by every GP to gain a licence to practise in the UK. Upwards of 4,200 GP trainees are assessed annually over an 8 month period from October to May. The facility is unique, having been built to RCGP’s specifications and as such is not replicable anywhere in the UK;

- a conference centre including a raised 300 seat auditorium, available for both private use and public hire and regularly used for the RCGP’s membership and fellowship ceremonies;

- 41 study bedrooms that are available for hire to the College’s membership and are regularly utilised by the examiners and assessors of our examinations;

- office space for over 200 staff;

- a café that is open to the public;

- a gym for staff, members and bedroom guests; and

- two large state/event rooms with adjoining roof terrace (overlooking Stephenson Way, Regnart Buildings, Cobourg Street and Melton Street) that host the RCGP Council meetings four times a year, its regular membership and fellowship ceremonies and are available for public hire for large dinners and events, such as weddings.
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’s 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

3.1.1 Your Petitioner’s property would be surrounded by demolition, works and work sites comprising and associated with HS2 for most of the now projected 17 year construction period and potentially beyond.

3.1.2 These works are outlined further at 3.3 below but comprise:

- The construction of the HS2 Station box;
- construction of London Underground improvements to Euston Square Station along with a related subway;
- The demolition of Wolfson House and the exposure of its party wall for the construction of a new vent shaft at Cobourg Street;
- major utility works;
- construction traffic routes; and
- work sites.

3.1.3 The works and activities concerned are unlikely to be restricted to HS2 alone. They will also include construction of over-site development, works associated with Crossrail 2 and works by way of refurbishment of Euston Station itself.

3.1.4 The potential consequences for your Petitioner’s operations and activities within its property are grave. The purpose built examination centre that is used to train over 4,200 new GPs annually. The examination centre is not replicable anywhere else in the UK. Should the examination not be able to run due to the disturbance caused by HS2, this would mean that the UK would be deprived of thousands of new GPs each year. This would have a huge detrimental impact for the future delivery of General Practice and primary care throughout the UK and is just one of the aspects of your Petitioner’s operation from the property that would be affected by works proposed under the Bill.
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 and 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 severe financial hardship and potential operational closure at the property 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, use of study bedrooms, examinations 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 and unassessed 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 both seriously damaging and 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

(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 directly adjacent to and overlooks 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 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.

3.3.4 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 examinations and 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 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 Your Petitioner’s premises have a basement. This space performs functions essential to its operations and is used for operational purposes including an auditorium and conference facilities and to store equipment and materials. 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 asks 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, Gordon Street, 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, Gordon 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;
- long term bus access being moved to Melton Street.

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 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.

3.6.5 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, Melton Street, 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 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 Your Petitioner’s premises will directly overlook the new areas of public realm to be created as part of Euston Square Gardens and the new Euston Station Forecourt. In addition, 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

- 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:

(a) In relation to the new areas of public realm adjacent to and to be overlooked by your Petitioner’s building:

(i) to have proper regard to the quality and use of your Petitioner’s building and to its amenity and setting when designing the appearance and use of those areas;

(ii) to ensure that uses which are noisy or generate fumes are not located in the immediate vicinity of your Petitioner’s premises; and that your Petitioner be consulted fully on the proposals and designs for such areas before they 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.
(b) in relation to the Cobourg Street vent shaft:

(i) to promote an attractively designed building to house it;

(ii) to ensure that such building contains and attenuates noise and vibration emanating from within to an acceptable level to be specified in advance; and

(iii) 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 apparently 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 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 Stephenson Way/ Gordon Street Business Mitigation Group
("Petitioners")

Declares that:

1 INTRODUCTION

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.

2 YOUR PETITIONERS

2.1 Your Petitioners are The Stephenson Way/ Gordon Street Business Mitigation Group ("the Group"). The Group was originally formed in 2013 under the name "Stephenson Way Community Group", the name under which a petition was lodged and its members appeared during the Commons Committee Stages. The Group was formed partly at the suggestion of the Promoter, to consider and discuss the local impact of the proposals contained within the Bill and any further additional provisions thereto, including AP3.

2.2 Negotiations have been conducted with the Promoter in the name of the Group as well as on behalf of the individual organisations comprising its members.

2.3 The Group comprises important national charities which own and occupy properties in or immediately around Stephenson Way, Euston Road and Gordon Street, including premises fronting Euston Road (both sides), Melton Street, Euston Street, Cobourg Street, Regnant Buildings, Endleigh Gardens, Gower Place and North Gower Street. The Group's members are: The Wellcome Trust, The Royal Asiatic Society, The Royal College of General Practitioners, The Royal College of Ophthalmologists, The Magic Circle, The Religious Society of Friends (Quakers) and The Methodist International Centre Ltd (trading as The Wesley).

2.4 As well as being party to this Group petition, each member of the Group has lodged a petition in respect of its own particular interests.

2.5 Your Petitioners comprise a unique cluster of like-minded organisations devoted to promoting research and furthering knowledge in the spheres of health, peace, wellbeing, sustainability, social equality and the arts. They have significant standing and recognition nationally and internationally, have invested heavily in the Euston area and have been integral to its vitality and the great improvements that have been made in its environment.

2.6 The properties owned and occupied by members of the Group and which stand to be affected by works to be authorised under the Bill are their primary or
headquarters premises. They are used for, and in connection with, training, conferencing, storage of historical archives, learning and in the case of one member worship. Some have bespoke facilities which are both unique and irreplaceable. Many of the organisations rely on income generated from the ability to hire these facilities for sustaining their charitable functions and activities.

2.7 In at least three instances the organisations are required to use their buildings in such a way as to meet the requirements of their Royal Charters, several have residential accommodation including hotel bed spaces, student accommodation and member and examiner overnight accommodation and for one member organisation, quiet reflection is central to its creed and critical to the use of its building. Many of the members of the Group have chosen to be located in the locality because of the local clustering of medical knowledge, skills and facilities.

2.8 The Group has 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 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.

2.9 The Petitioners have been constructive in their approach to negotiations with the Promoter and in their 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. Group members and their 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.

2.10 During the two years while the Bill was in the first House, the Promoter was extremely slow to engage with your Petitioners and even then, engagement was superficial. As a consequence, it was necessary for your Petitioners and member organisations 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."

18th April 2016
2.11 Whilst discussions have taken place between your Petitioners 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.

2.12 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 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 committed to working as positively as practicable with the Promoter to meet their concerns and hope 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 Period and nature of the disturbance and disruption

3.1.1 Group members’ requirements as set out continuously and consistently over many months and contained within the individual petitions of members and articulated in correspondence with the Promoter have thus far not been met by commitments regarding meaningful mitigation and/or compensation. Group members 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.

3.1.2 Your Petitioners are deeply concerned that, absent sufficient and effective impact avoidance and mitigation measures, some Group members could face financial ruin and operational closure as a direct and sole result of the expected impacts arising from the HS2 Bill works.

3.1.3 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 to some Group members’ properties will lead to cancellation of national professional examinations, conferences, hotel accommodation, room hires, societal events, museum/archive exhibitions, therapy and educational programmes. The nature and characteristics of the activities undertaken in many of the adversely affected properties in this part of Euston should require a distinctive and special approach from HS2 Ltd regarding mitigation, compensation and possibly relocation.

3.1.4 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.

3.1.5 The length and intensity of disruption and disturbance to local businesses stands to be unprecedented and unacceptable to Group members, especially should sufficient impact avoidance, mitigation or compensation arrangements be absent.

3.1.6 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 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

(c) the liaison and engagement mechanisms include escalation and dispute resolution procedures to ensure mutually acceptable outcomes wherever practicable.

3.2 Noise, vibration, visual effects, light pollution, dust and atmospheric pollution

3.2.1 Your Petitioners’ members’ properties are located adjacent to and directly overlook 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 Euston Road, Melton Street, Stephenson Way, Regnart Buildings; Endsleigh Gardens and Gower Place
- Work sites at Cobourg Street, Melton Street, Euston Square (East and West).

3.2.2 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. They are concerned that, in any event, material damage may be occasioned to their premises, operations and property as a result of works at Euston.

3.2.3 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 Group members;

(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 any of the Gordon Street 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 the premises of Group members 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.

3.2.4 Your Petitioners also ask that the Committee direct the Promoter to ensure, in collaboration with the Petitioners:

(a) that risk assessments are carried out,
(b) 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.

3.2.5 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.

3.3 Programming and Notice

3.3.1 Your Petitioners' operations are such that they programme examinations or events at and make bookings with third parties in relation to their premises many months, sometimes years in advance.

3.3.2 Over and above pre-emptive mitigation works and general control and management of impacts by the Promoter, it is essential that your Petitioners have 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.

3.3.3 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.

3.4 Flood, Groundwater and Surface Water

3.4.1 Your Petitioners' premises have basements. These spaces perform functions essential to their operations and in many cases are used to store priceless or unique artefacts. They 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.

3.4.2 Buildings of several of your Petitioners are also vulnerable to changes in surface water run off occasioned by construction of new structures and demolition of existing buildings as part of HS2 works.

3.4.3 Premises north of Euston Road 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.

3.4.4 The Group's civil engineering advice 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 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.

3.4.5 Until members of the Group 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.

3.4.6 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.

3.5 Access and servicing

3.5.1 Your Petitioners' members take access from or along the following highways: Euston Road, Gordon Street, Melton Street, Stephenson Way, Regnart Buildings, Euston Street, North Gower Street, Endsleigh Gardens and Gower Place.

3.5.2 Pedestrian, vehicular, cycle and public transport access to premises occupied by Group members will therefore be affected by:

- works to and temporary whole or partial closures of Stephenson Way, Euston Road, North Gower Street, Gower Place, Endsleigh Gardens, Regnart Buildings, Melton Street and Euston 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.

3.5.3 Group members have particular concerns about the ability to adequately access and service their premises while construction is underway. This applies particularly in relation to Endsleigh Gardens, Gordon Street, Gower Place, Stephenson Way 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.
3.5.4 It is very important to Group members that permeability through 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.

3.5.5 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;

(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) neither Endsleigh Gardens nor Gower Place is used as a taxi rank or taxi holding area;

(g) construction vehicles will not use any of Stephenson Way, Euston Road, North Gower Street, Euston Street, Regnart Buildings or Gower Place other than for purposes limited to carrying out (and during) utility works within the boundaries of that particular road.

3.6 Utilities

3.6.1 The continuous availability of communications and utility services to your Petitioners' premises is of vital importance to their being able to perform their functions, both as part of general activities and when their premises are subject to third party bookings, examinations, performances and public exhibitions.

3.6.2 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.

3.6.3 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 Petitioners' operations.

3.6.4 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;
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

disruption associated with utility works should be kept to a minimum with trenchless/no dig techniques being used wherever practicable.

3.7 Parking

3.7.1 Your petitioners' premises which do not have facility for internal parking rely on on-street parking spaces, particularly for blue badge users.

3.7.2 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 the relevant 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.

3.8 Vent shaft works and public realm

3.8.1 The proposed vent shaft at Cobourg Street will be in close proximity to many of your Petitioners' premises. Moreover, the premises of each of your Petitioners' member organisations will be adjacent to work sites and/or overlook or have walls revealed where neighbouring buildings have been demolished.

3.8.2 Your Petitioners are 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. They ask that the Committee give a direction to the Promoter to this effect.

3.8.3 Your Petitioners are 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 Petitioners are 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.

3.8.4 Your Petitioners therefore request the Committee to direct the Promoter, in relation to the Cobourg Street vent shaft:

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(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 Petitioners 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.

3.9 Crane Oversailing

3.9.1 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.

3.9.2 Your Petitioners therefore ask the Committee to direct the Promoter:

3.9.3 that any crane oversailing of premises of any Group member:

3.9.4 shall only be permitted if carried out in conformity with:

(a) British Standard BS 7121 Code of Practice for Safe Use of Cranes;

(b) terms in favour of any Group member whose premises are over-sailed equivalent to those applied by Network Rail wherever operational land other than a permanent way is to be oversailed; and

(c) terms such that the premises oversailed are not prohibited from being extended upwards in accordance with any planning permission granted in relation to them.

3.9.5 shall be subject to comprehensive indemnities in favour of any Group member whose 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.

3.9.6 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.

3.10 Shortcomings of the Compensation regime under the Bill

3.10.1 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 Group members from whom no land is 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.
3.10.2 The lack of any material proposals from the Promoter to deal with these issues 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.

3.10.3 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 Group members is such that it would be against the public interest for them to suffer uncompensated loss in consequence of the HS2 works.

3.10.4 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.

3.11 Burden of increased costs including maintenance, insurance and professional fees associated with HS2 and engagement processes

3.11.1 Your Petitioners are concerned that the general maintenance and insurance costs of Group members’ buildings will increase significantly for the duration of the HS2 works, without proper or adequate compensation. Group members will also 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 the works are contemplated.

3.11.2 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.

3.11.3 Your Petitioners therefore ask that the Committee direct the Promoter to reimburse your Petitioners’ Group members in respect of all such costs.

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 the Petitioners remain, etc.

Signed:

Berwin Leighton Paisner LLP

Agents to the Petitioners

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

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Andrea Leadsom MP

Declares that:

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

2. Your petitioner

The Petitioner, Andrea Leadsom, is the Member of Parliament for South Northamptonshire. Your Petitioner has a responsibility as the Member of Parliament to represent their constituents on matters including, but not exclusive of, quality of life, value for public funds, highways and public transport, access to public services and strategic planning.

The proposed route of Phase One of High Speed 2 (HS2) passes through the south western part of Northamptonshire, traversing the district of South Northamptonshire and involving extensive works in the parishes of Whitfield, Brackley, Radstone, Greatworth, Marston St Lawrence, Thorpe Mandeville, Culworth, Chipping Warden and Edgcote, Aston Le Walls and Boddington – all of which are within the Parliamentary constituency of South Northamptonshire.

Your Petitioner has, since her election to Parliament in 2010 and the subsequent announcement of the line of route, represented her constituents who are amongst the worst affected by Phase One of HS2. A considerable number of your Petitioner’s constituents live in close proximity to the proposed line of route or to construction works, and many of these are persons whose properties will either be compulsorily purchased or who wish to sell their properties and move away from the area.

The provision made by the Bill in relation to highways will result in substantial and inappropriate disruption to local communities in your Petitioner’s constituency. It will also result in a hindering of your Petitioner to carry out her responsibilities as the Member of Parliament, which requires your Petitioner to travel frequently around the constituency of South Northamptonshire and extensively to the areas which will be affected by HS2.

Your Petitioner was granted locus by the High Speed Rail (London - West Midlands) Bill Select Committee (Commons) and respectfully requests of your Lordships that she also be afforded the opportunity by the Lords Select Committee to further represent the views and concerns of her constituents in South Northamptonshire, as well as her own views as a private citizen.

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

Member of Parliament for South Northamptonshire
Westminster Office: 020 7219 7149 andrea.leadsom.mp@parliament.uk www.andrealeadsom.com
3. Your petitioner’s concerns

Your Petitioner has sought to work with HS2 Ltd and the Government in their development of the proposals. However, as outlined in this petition, she has substantial outstanding concerns with the appraisal work, design and development of the project and the particular powers proposed in the Bill. Your Petitioner established the HS2 Compensation and Mitigation Forum as a space for Members of Parliament affected by HS2 to discuss common issues and to collectively lobby HS2 Ltd for scheme improvements. Your Petitioner also set up the HS2 Liaison Group in South Northamptonshire which holds regular meetings in her constituency between Northamptonshire County Council, South Northamptonshire District Council, affected Parish Councils, HS2 Ltd representatives, and others.

3.1. Code of Construction Practice

The proposed Code of Construction Practice ("CoCP") remains in a draft form which your Petitioner finds to be neither acceptable in principle, nor in its presumptions, proposals and extent of detail.

Your Petitioner wishes to ensure that the CoCP is complied with properly. Your Petitioner wishes to ensure that reasonable expenses in monitoring highways, maintenance and repair of highways due to damage by construction traffic, mineral extraction and other matters are met by the nominated undertaker, together with expenditure incurred in planning and programming activities related to the CoCP and in enforcement.

Your Petitioner wishes to ensure that her constituents are aware of a comprehensive and independent appeal process to seek redress from, should the CoCP not be adhered to. Failure to have such an appeal process will result in your Petitioner’s workload being substantially increased.

Your Petitioner concludes that a detailed Code of Construction Practice should be included in the Primary Legislation and the Bill be amended as such.

3.2. Highways Issues

In the immediate vicinity of Brackley, it is proposed that the A43 must be “lifted” to allow the HS2 line of route to pass underneath. The A43 is a major trunk road between the M1 and M40, traversing your Petitioner’s constituency of South Northamptonshire, and your Petitioner is concerned about the dispersal of HGVs onto the surrounding road networks and the associated impact on travel locally for residents. There is also an implicit impact upon your Petitioner’s ability to carry out her duties as the Member of Parliament.

Your Petitioner is concerned that HS2 Ltd is not communicating effectively with residents along the line of route, and recently attended a public meeting in Hinton-in-the-Hedges to discuss with villagers the likely impact of HS2 traffic on the surrounding area. HS2 Ltd had not undertaken to communicate with this village as it was deemed too far from the line of route to be significant. However the village faces crippling commuter and construction traffic if, as expected, the A43 and A422 around Brackley become gridlocked and vehicles divert through
local rat-runs. This problem is most pronounced in the village of Farthinghoe on the A422 which already has significant traffic problems as it is the only village between Banbury and Milton Keynes not to have had a bypass built. These concerns are shared by your Petitioner’s constituents in many of the villages surrounding Brackley.

Your Petitioner is concerned about the proposed alignment of the Chipping Warden bypass which does not, in her opinion and the opinion of many in the village, represent the best possible route. Your Petitioner believes that the alternative proposal put forward by the Allens Orchard Action Group (AOAG), which has previously petitioned the Commons Select Committee, represents the best possible solution. Your Petitioner understands that the AOAG will be petitioning the Lords Select Committee on this matter and beseeches your Lordships to consider the AOAG’s proposals on the merit with which they are presented.

Through her involvement with the South Northamptonshire HS2 Liaison Group, your Petitioner remains deeply concerned that at this stage of the process there remains limited detail from HS2 Ltd on the movements of HGVs during the construction period. Parish Councils in the affected area, in particular Chipping Warden and Edgcote Parish Council, have raised their concerns with your Petitioner in her capacity as the Member of Parliament that haulage routes remain undefined and the full impact on local roads has not been determined.

3.3. Need To Sell Scheme

Your Petitioner is concerned that awareness and take-up of the various compensatory schemes, in particular the Need To Sell (NTS) Scheme, remains very low. She continues to be approached by constituents who enquire about their eligibility.

It would be extremely useful if HS2 Ltd could undertake to readvertise the compensation schemes, if and when adjusted by the Lords Select Committee, to take into consideration this round of feedback. The fundamental underpinning is that HS2 Ltd should be buying more houses, and not leaving residents to languish in years of misery through construction if they wish to leave. Your Petitioner’s constituents do not believe that there has been sufficient communication with all homeowners within a reasonable distance from the line, and this is evidenced by the low number of applications under either the Exceptional Hardship Scheme (EHS) or NTS. Additionally, your Petitioner should be grateful if the Lords Select Committee could consider the issue of compensation for those who have already had to sell for whatever reason and now wish to make a retrospective claim for loss in value due to HS2 as a result of forced sales.

Your Petitioner’s constituents, particularly her more vulnerable and elderly constituents who are affected by HS2, have expressed a feeling of being trapped by the situation they have found themselves in through no fault of their own. The stress, worry, financial loss, and time spent focusing on this one issue are all factors that are impacting negatively on their ability to lead a normal life. The scheme needs to move towards a Want To Sell, rather than requiring people to have to demonstrate and justify a necessity to move. Given that the blight on house prices has been accepted by HS2 Ltd, a number of your Petitioner’s constituents have made the point that their rights are being abridged by their inability to sell their house: specifically, the principle of the freedom of movement. If a property is blighted by HS2, then it is incumbent upon the Promoter to purchase that property at the unblighted price.
However your Petitioner recognises that a Want To Sell scheme may place an unreasonable burden on the taxpayer. Your Petitioner has previously put forward the alternative suggestion of a Property Bond. This would mean that each property that was affected by HS2 would be eligible for a property bond which, on completion of the line and for one year after the operation of HS2, would entitle the then-owner of the property to compensation or the Government to buy the property at the pre-blight value, if it could be proved that the operational HS2 was negatively affecting the value.

During the interim period between now and when the line was operational, the existence of the bond guaranteeing the pre-blight value (plus or minus house price movements in the intervening years) would enable the market to operate as normal enabling property to be bought, sold, re-mortgaged and equity realised. As an added incentive to the normal functioning of the market, your Petitioner has suggested that properties with a property bond should be exempt from stamp duty. The already existing compensation schemes should operate alongside the property bond. Your Petitioner should be most grateful if your Lordships could give their consideration to the merits of such a property bond scheme.

Your Petitioner’s constituents have expressed grave concerns over the unacceptable intrusion into their personal affairs necessitated by the levels of financial scrutiny required. Anecdotally, she has been told that some people have been required to turn over hundreds of pages of evidence, including sales receipts for medication, pet store receipts, and other such expenditure. Where constituents are not claiming financial hardship, it seems inappropriate for HS2 Ltd to require salaries, bank statements, savings values, tax assessments, and so on simply to determine whether they qualify for the NTS scheme. Indeed the NTS Panel has made a number of suggestions to her constituents that are inappropriate, including using existing incomes to provide home-help for retired homeowners, or simply to move into downstairs accommodation if the property is becoming an unreasonable burden.

Many of your Petitioner’s constituents over the years have raised with her the stress and anxiety they are experiencing that is caused by the impending thought of construction, let alone of having a fully-operational high speed train line passing a few hundred metres away from their homes. Where this has been raised with HS2 Ltd, the NTS Panel has advised that medical evidence must be submitted to substantiate these concerns. This is difficult to provide when your Petitioner’s constituents’ concerns are essentially those of a non-physical state of mind that cannot be quantified. The Panel obviously has some measure for which they determine which persons are ill or infirm enough to move or not move, and constituents have expressed to your Petitioner their perception that HS2 Ltd would simply have them apply year-in-year-out until they are infirm enough to need to move on, despite all of the continued anguish this would cause in the interim.

It has been put to your Petitioner that it would be useful to have from the NTS Panel an indication of exactly what physical and mental health and well-being criteria homeowners wishing to sell would need to demonstrate. It has also been put to your Petitioner that it would be useful to have included on the Panel as a matter of routine a doctor or other medically-qualified professional, as there is no suitable specialist medical knowledge within NTS to make these determinations.
Your Petitioner's constituents have expressed their dissatisfaction with the lack of feedback from the NTS Panel when being rejected from the NTS scheme – they are merely told that they did not provide a compelling reason or demonstrate how they would be placed under an unreasonable burden. Whilst appreciative of the time constraints of the Panel, it would be useful if full and frank feedback could be provided so as to improve further applications her constituents may make under the compensation arrangements. On that point, in the words of one of your Petitioner's constituents, it is bad form that there is no right of appeal and no avenue to dispute the findings of the NTS Panel.

Other constituents have raised with your Petitioner their concerns over the communication and engagement from HS2 Ltd and the NTS Panel: specifically a lack of empathy for their individual circumstances. One couple in Radstone, whom the Commons Select Committee were very familiar with, have been told by the Panel that living through years of heavy and noisy construction in the field directly in front of their house – some 150 metres from the property – did not constitute a compelling reason to sell nor that they would be placed under an unreasonable burden if they could not sell at an unblighted price. This is despite HS2 Ltd having accepted that historic buildings next-door would be particularly affected by the construction and operation of the new railway, and that there would be significant vehicle movements and noise effects associated with construction activities. The Panel concluded that whilst the couple would not be able to sell their house at an unblighted value, they would simply have to suffer a financial loss if they wished to move which would be patently unfair. As your Petitioner's constituents have pointed out to her, the key issue is the principle of whether properties directly affected by construction noise and disruption should qualify for the NTS scheme. Your Petitioner and her constituents are of the firm opinion that it should and that HS2 Ltd must take more consideration of the circumstances of the individual in their approach.

One of your Petitioner's constituents summed the situation up thus:

“It seems that the whole premise of the scheme is to be as mean as possible and disadvantage those caught up in the middle of this debacle.”

3.4. London Euston

Several of your Petitioner’s constituents have questioned whether the changes to the Euston rebuild proposals have now undermined the business case for HS2, given that the costs for the redevelopment of the station have more than doubled from an estimated £1.2 billion in January 2012 to a budget of £2.5 billion in February 2015. The business case for HS2 assumes that there will be thirteen trains an hour throughout Phase One and eighteen trains an hour once the full network is operational. Your Petitioner’s constituents query how the business case can be maintained and delivered if the planned reconstruction work at Euston will take place over many more years, and without the platforms to manage the thirteen trains an hour through to 2026 whilst maintaining the so-called ‘classic’ Network Rail services on the West Coast Main Line.

Your Petitioner’s constituents have also raised concerns arising from the impact of HS2 on existing rail services, specifically the reduction in the number of classic Network Rail platforms from eighteen to thirteen, which is a permanent reduction in the capacity of the existing route.
Connected with the loss of platforms is the reduction in the number of approach tracks into Euston for existing rail services – down from six to four during the construction phase. Her constituents have concerns regarding the assurances that have been provided by HS2 Ltd that, whilst there will be some disruption on the West Coast Main Line during the construction phase, the timetable that is in place today will be in place until the HS2 route becomes operational. Your Petitioner believes that HS2 Ltd should offer a full compensatory scheme for commuters who do experience delays, above and beyond that contained within each operator’s Passenger Charter. Indeed your Petitioner travels to and from Euston to reach her constituency, via Milton Keynes or Northampton, and she would be adversely affected herself by the changes proposed to Euston station.

Another concern that your Petitioner’s constituents have raised with her is the capacity of London Underground to handle the expected increase in passenger numbers joining the network from Euston during the morning three hour peak, which HS2 Ltd are projecting to rise from 9,900 in 2012 to 41,340 in 2041. Given this increase, and that the passenger dispersal from Euston depends very much on the capability of the rest of the transport network, your Petitioner is concerned that the Promoter is not taking sufficient steps to ensure that London Underground can keep moving after completion of the project.

It is vital that there is coordination between HS2 Ltd, Network Rail, and Crossrail 2 in this area, and Transport for London has already stated that the delivery of Crossrail 2 is critical for the successful realisation of the HS2 project, once Phase Two is completed by 2033.

3.5. Pylons

Your Petitioner humbly requests that the Lords Select Committee give attention to the design of the overhead gantries and pylons for the purposes of supplying power to HS2, as she and many of her constituents are concerned about the visual intrusion to the landscape.

Your Petitioner has written to the Chair of the HS2 Independent Design Panel, Ms Sadie Morgan of dRMM Architects, to emphasise the importance of community engagement with the designs. Mr Andrew Bodman of the South Northamptonshire Action Group, whom your Petitioner understands will also be petitioning the Lords Select Committee, has also raised this matter with dRMM. Regretfully neither approach has met with any response and therefore your Petitioner should be most grateful if your Lordships could bring their attention to bear on this issue.

3.5. Public Rights of Way

Your Petitioner has been working with her constituents in the Greatworth area to promote the opportunity for the expansion of the local network of Public Rights of Way on land that HS2 is acquiring. In particular your Petitioner should like to note the tireless work by her constituent Nicholas Ward and all of his efforts to secure this improvement for local residents.

Your Petitioner regrets that Mr Ward, who was very familiar to the Commons Select Committee and had their tacit support for these improvements, has so far been stymied in this matter. Your Petitioner should be most grateful if your Lordships could give consideration to the proposals by Mr Ward as she understands that he intends to petition the Lords Select
Committee. The extension of the network of Public Rights of Way would bring extensive benefits to those who walk, cycle and ride these routes.

3.5. Other Matters

Your Petitioner remains supportive of the proposals put forward by HS2 Action Alliance, specifically:

- to consider a reduction in the maximum speed of trains along the line from 360 km/h to 300 km/h;
- the independent oversight of the environmental impacts of HS2 through a non-partisan Complaints Commissioner;
- and the guaranteed planting of 2 million trees along Phase One.

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.

Andrea Leadsom MP
Member of Parliament for South Northamptonshire

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 DAVID LIDINGTON MP

 Declares that:

1. The petitioner is specially and directly adversely affected by the whole Bill, in so far as it affects the Aylesbury constituency.

2. Your petitioner

Your Petitioner is the Member of Parliament for Aylesbury (hereinafter referred to as ‘the Petitioner’) and has a constituency office and private dwelling within the area that will be affected by the Bill. Your petitioner holds regular surgeries which draw individuals from across the constituency to access the assistance and interventions of their elected MP. A significant number of your petitioner’s constituents are persons who live in properties which will be compulsorily acquired, or if not being compulsorily acquired, are located within close proximity of the high speed railway and associated construction sites and will therefore be severely affected by the works authorised by the Bill to which your Petitioner objects for the reasons set out below. Your petitioner 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 respectfully requests that he be heard by the Select Committee which considers the Bill as a Member of Parliament representing the views of his constituents.

3. Your petitioner’s concerns

Your petitioner objects to all the impacts of the surface works and operation of the railway within the Aylesbury Constituency and those which fall within Buckingham Constituency but will impact upon the settlement of Aylesbury, the land acquisition and its designated uses, the highways and electrification changes, as listed in Schedule 1, 3, 4 and 5 of the Bill, and in the parishes of inter alia Wendover, Stoke Mandeville, Ellesborough, Aylesbury, Coldharbour, Great and Little Kimble-cum-Marsh, Stone with Bishopstone and Hartwell, Bledlow-cum-Saunderton, Bradenham, Lacey Green, Princes Risborough and Weston Turville.

3.1 Long Chilterns tunnel

Your petitioner is greatly concerned about the impact of the line on both the Chilterns Area of Outstanding Natural Beauty (AONB) and the settlements within it. HS2 will run through the Chilterns AONB in the Aylesbury Constituency in a combination of cutting, ‘cut-and-cover’ tunnel, embankments, and viaducts, causing both visual and noise blight to residents as well as environmental and economic damage to the local area.

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.
The current tunnel costing by HS2 Ltd relies on assumptions about the maximum tunnelling rate which can be achieved and, therefore, on length of time for which they'd need to hire tunnelling machines. The assumed tunnelling rates are significantly slower (and assumed costs therefore higher) than actual experience in many tunnel projects including Crossrail.

HS2 Ltd has refused to go into detail about its assumptions by citing commercial confidentiality. This refusal to engage with the detailed critique made by local residents and supported by expert witnesses has aggravated mistrust and resentment locally. Your petitioner believes that an independent audit or review of HS2 Ltd's estimates of the costs of a deep bore tunnel and the assumptions on which those estimates are based would at worst provide the public with the assurance, currently lacking, that the Promoter's arguments have a sound technical foundation, and at best show that significant additional mitigation could indeed be provided without any increase in HS2's budget.

Additionally, your petitioner believes that there is an opportunity to re-examine the possibility of a continuous bored tunnel during the procurement process for contractors for the line. The engineering for the 'CRAG T3' tunnel has been worked on in some detail by HS2 Ltd and your petitioner believes that if contractors were given the opportunity to bid on that option during the procurement process in addition to the current Bill scheme, this would open up the tunnel possibility potentially at a lower cost.

3.2 Wendover

In the event that a long tunnel option is not chosen, your petitioner would like to raise the alternative package that was offered for Wendover by HS2 Ltd during discussions about extending the current green tunnel in that area. The cost of these improvements is minimal compared to possible tunnel options and your petitioner hopes that these represent the minimum that residents in this area can expect.

In one of the documents sent to your petitioner by HS2 Ltd in those discussions they described alternative mitigation options including:

"Provision of additional car parking in Wendover; green bridge over bypass and railway; appropriate sustainable transport measures for construction workers in Wendover; relaunch of Wendover as a tourist venue after construction; appropriate bus service mitigation; advance planting of trees [particularly to screen the new 6m noise barriers to the south of Wendover]; specific involvement by local people in Local Environment Management plans (LEMPs) and Traffic Management plans (TMPs); additional funding for environmental health practitioners for some HS2 related work; engagement by nominated undertaker in Wendover; responsive road cleaning in Wendover; management of HS2 construction traffic in Wendover; advance notice of HS2 construction works in Wendover; support for local businesses in Wendover; engagement on hydrogeology in relation to concerns in Wendover, and establishing a HS2 emergency services liaison group."

Your petitioner would be grateful for confirmation that these measures will be implemented in the absence of further tunnelling.

3.3 Chiltern Way Federation, Wendover Campus

The Wendover Campus of the Chiltern Way Federation is a special needs school directly proximate to the line, which caters to children with very serious behavioural, emotional and social difficulties, as well as children with autistic spectrum disorders.

There are currently no firm plans for serious mitigation for the school and your petitioner is concerned that during construction the children, some of whom are particularly disruptive or violent, will present serious difficulties to the other students and staff. On current plans a number of students would potentially have to be relocated out of the county at an estimated annual cost of £65k – 250k per placement.
Steps that the school has suggested to avoid this include moving some or all of the ASD students to their other campus in Prestwood, which would involve building a new classroom block there, as well as soundproofing for the Wendover site and your petitioner asks that one of these solutions is implemented.

3.4 Wendover Cricket Club

Wendover Cricket Club is being forced to move their ground because of the line. While the Promoter has agreed to pay for the purchase of an alternative ground, the only site available is a distance from the village centre. This would have an adverse impact upon the ability for young and old club members to travel to the ground, potentially resulting in the loss of these age group teams. To remedy this your petitioner suggests that HS2 should provide funds for two minibuses to help shuttle the young and old club members to the ground from the town.

3.5 St Mary’s Church

HS2 Ltd have agreed to fund noise attenuation work to the fabric of the building, estimating that this will cost £250k. The Church have had a separate valuation suggestion it will be closer to £600k. Your petitioner would ask that a contingency be added to this limit to cover this difference should it be needed.

3.6 Stoke Mandeville

Both the line and the maintenance loop for the trains will run very close by Stoke Mandeville, providing serious round the clock noise disturbance. Your petitioner asks that the existing noise barrier be a consistent 4m height, to shield it with mature tree planting at a very early stage in construction, and to extend the existing plans for earthworks down past the A4010 to provide additional noise and visual protection.

3.7 Fairford Leys, Aylesbury and Hawkslade

Similarly, as the line passes Aylesbury and Fairford Leys, there are a number of high noise barriers that will have a significant visual impact and residents are looking for an assurance that the barrier will be completed and mature trees planted before construction to shield them from noise and visual disturbance both during construction and operation. Your petitioner also asks that homes on residential roads directly adjacent to the line in these areas have the cost of double glazing covered by the Promoter.

3.8 Need to Sell

The HS2 Select Committee made some welcome improvements to Need to Sell, particularly with their recommendations about “Age and Stage” cases, where they recommended that individuals who go through a serious change to their lifestyle, for instance: retirement; a child leaving the home; or wishing their children to attend a particular school, should be considered to have sufficient need to sell under the scheme criteria. Your petitioner asks that this be included in official guidance for the scheme.

Both the construction and operation of HS2 will have a serious adverse impact on the small settlements of Wendover Dean, London Road and Nash Lee Lane. All these lie within the parish of Wendover but are separate from the village and will derive no protection from the Wendover green tunnel. Wendover Dean and London Road, though in green belt and AONB land, will face the serious impact in terms of both noise and visual intrusion of viaducts and high embankments. Nash Lee Lane lies on the edge of the green belt and AONB and HS2’s own assessments show that homes in this neighbourhood face a significant adverse noise impact despite the barriers planned by the Promoter.
In the absence of protection in the form of a tunnel, your petitioner believes that the only way to help residents in these locations will be through a generous interpretation of the Need to Sell Scheme. The small number of properties involved would mean that the cost would be limited and such a move on compensation would go a long way towards improving public acceptance of the scheme for the most hard done by in the area.

3.9 Impact on traffic management

The Promoter’s plans will involve large-scale construction work on the A413, A418, A41 and B4443 to and from Aylesbury. Construction traffic will also run along the roads south and west of Aylesbury towards Princes Risborough and High Wycombe. On present plans, HS2 construction will take place at the same time as the construction of large new housing developments to the north, south and east of Aylesbury and at Princes Risborough. Although the Promoter has now made a number of welcome pledges of action, including financial support to the local Highways Authority, to alleviate this problem, your petitioner remains concerned at the impact that construction traffic will have on the economic life of Aylesbury, Stoke Mandeville and Wendover, on home-school transport and on the blue light ambulance routes to Stoke Mandeville Hospital and to the specialist cardiac and stroke units at Wycombe Hospital. Your petitioner seeks further commitments from the Promoter both to carry out and publish an up-to-date analysis of the probable traffic impact of the project and more detailed plans to manage and mitigate that impact.

4 The prayers

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.

Rt Hon David Lidington
Member of Parliament for Aylesbury
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 RUISLIP RESIDENTS’ ASSOCIATION

Declares that:

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

2. Your petitioners

Your petitioners are the Ruislip Residents’ Association, founded in 1919 as a non-political organization to represent the community of Ruislip, in the county of Middlesex. Your petitioners have a subscribed membership of over 3,000 households in Ruislip. Your petitioners have taken every opportunity to engage with HS2 Ltd and have been active members of the South Ruislip to Ickenham Community Forum. Your petitioners also petitioned against the Bill in the House of Commons.

3. Your petitioners’ concerns

3.1 Extending the Old Oak Common / Ruislip Tunnel

Your petitioners are aware that the Old Oak Common / Ruislip tunnel, as planned, ends at Ruislip Public Golf Course, and the route then continues overland, across the Colne Valley Regional Park to another tunnel under the M25. This will involve damaging Ruislip Public Golf Course, building a tunnel portal directly behind a residential street, bridging the River Pinn and an important local road, Breakspear Road South, demolition of several houses and part of the MSD Animal Health labs, one of the local employers, and may cause disruption to the Chiltern Line.

At the time of petitioning the House of Commons there was a requirement to provide provision for junctions to and from the Heathrow Spur on this section of the line and these junctions were one of the major reasons HS2 Ltd gave for not extending the tunnel, claiming that building underground junctions would be unnecessarily expensive. The Heathrow Spur provision has now been dropped from the bill and so these objections no longer stand. The location of the tunnel portal at West Ruislip has also led to the tunnel under the residential areas of Ruislip between West End Road and West Ruislip Bridge (the western tunnel portal) is shallower than your petitioners
were led to believe by HS2 Ltd by up to 5m. This has led to considerable concern to homeowners in the area.

Your petitioners request your Honourable House to require the nominated undertaker to ensure that the tunnel is extended to meet up with the M25 tunnel, or alternatively, the start of the Colne Valley Viaduct. This will allow the tunnel portal to be built away from residential properties, avoiding up to seven years of 24-hours-a-day noise and disruption to the houses in The Greenway. It will also mean that no bridge works, are needed to cross the River Pinn and Breakspear Road South, and this will reduce the damage to community facilities. Your petitioners also request that the nominated undertaker be required to use the resulting longer length of tunnel to increase the depth of the tunnel beneath the residential areas of Ruislip between West End Road and West Ruislip Bridge (the western tunnel portal).

3.2 Closure or Suspension of Hillingdon Outdoors Activity Centre (HOAC)

Your petitioners are concerned that the construction of the Colne Valley Viaduct, through the middle of HOAC, will force the Centre to close or relocate. This is an important local facility providing services to the youth of the London Borough of Hillingdon, and beyond, and especially disabled youngsters. It is a jewel in the community’s crown.

Your petitioners request your Honourable House to require the nominated undertaker to ensure that this important local facility is preserved, without any lengthy period of non-operation. This will require a new site and full relocation. Your petitioners consider it important that the new HOAC should have all the facilities of the previous one (including high wire climbing, cave simulator, etc.) but in a purpose designed setting with full disabled facilities. Your Petitioners request your Honourable House to require that relocation should take place before the old site is forced to close so that service can be continuous.

3.3 Removal of Two/Three Holes at Ruislip Public Golf Course

Your petitioners are concerned that the taking of land for the Ruislip Tunnel Portal from Ruislip Public Golf Course will leave it with only 15 or 16 holes and that the proximity of the large tunnel head house to the existing Golf Centre will damage its use as a recreational amenity.

Your Petitioners request your Honourable House to require the nominated undertaker to ensure that the golf course be reconfigured before work begins on the tunnel and head house. There is additional land to the north of the existing course that could be incorporated into it and the whole course could then be professionally
redesigned so that the land needed by HS2 Ltd is freed up and the course can continue in full use whilst HS2 is being constructed. Your petitioners request your Honourable House to require the nominated undertaker to ensure that the tunnel head house be redesigned so that it does not dominate the Golf Centre, or that the Golf Centre be re-sited elsewhere in the course as part of the reconfiguration.

3.4 Construction Traffic

Your petitioners are concerned about the very high levels of construction traffic mentioned in the Environmental Statement and later plans, including running lorries through already congested residential and shopping streets, passing several schools, without any plans as to how the roads will cope with the added traffic, and very few plans to improve the road system to cope with at least seven years of construction.

Since the Environmental Statement was written a large new housing estate has been constructed adjacent to the Ickenham High Road (a construction route for the tunnel portal site) and another is in the process of being built next to it. These are both on the site of the former RAF West Ruislip.

A recent murder on Ickenham High Road led to its total closure for a day. Within an hour of the closure the entire north of the Borough of Hillingdon was gridlocked. This demonstrated just how sensitive the local road system is to any obstruction or delay.

Your petitioners have been informed by their police liaison officer that the Metropolitan Police are not meeting their response time targets in the north of the London Borough of Hillingdon, and that they fear that the congestion caused by large quantities of HS2 construction traffic will exacerbate the problem. The inference of this is that the same problem will apply to other emergency services, but your petitioners do not have direct contact with them.

Your petitioners request your Honourable House to require the nominated undertaker to produce and operate properly designed traffic plans that take into account the current and growing level of traffic in your Petitioners’ community, and, if necessary, propose and fund suitable road improvements and/or relief roads to ensure the smooth flow of traffic at all times. Your petitioners request that the communities of Ruislip, Harefield and Ickenham should be able to carry on their lives with the minimum of traffic problems whilst HS2 is being constructed.
3.5 Disposal of Tunnelling Spoil

Your petitioners are appalled at the plan to dispose of the tunnelling and earthwork spoil on the green fields of Ickenham and Harefield. At the very last Community Forum meeting, HS2 Ltd announced that instead of removing the tunnelling spoil to use in building other parts of the line, they would now dump it on the rare green fields of Ickenham and Harefield, some of the few fields in Greater London. Your petitioners had no opportunity to discuss this development.

Your petitioners are concerned over the safety of this proposal and the appalling effect it will have on the landscape of the area, destroying existing views across London. From what your petitioners can deduce from the information provided by HS2 Ltd this will lead to the destruction of many mature trees including a large number of lone “focus” trees that help create the traditional English landscape look.

Your Petitioners request your Honourable House to require the nominated undertaker to ensure that this plan is abandoned and for the tunnelling spoil to be re-used as earlier planned, or disposed of in a more environmentally-sound manner, such as backfilling open mine workings, etc. It could be transported from the railhead that HS2 Ltd plan to build between Ickenham and Harefield.

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 some or all of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

GRAHAM BARTRAM,
Chairman & Roll B Agent, Ruislip Residents’ Association
For and on behalf of Ruislip Residents’ Association
17 April 2016
To the House of Lords
Session 2015-2016

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

THE PETITION of THE HEART OF ENGLAND HIGH SPEED RAILWAY ACTION GROUP

 Declares that

1. The Petitioners are specially and directly adversely affected by the whole Bill, particularly Clauses 1 - 3 (Works), Clauses 20 - 24 (Planning), Clauses 25 - 36 (Deregulation), and Clauses 60 and 61 (Deposited plans and sections).

Your Petitioners

2. Your Petitioners are the Heart of England High Speed Railway Action Group. The Action Group is an association, constituted in July 2010, that represents the interests and concerns of thousands of residents of the Metropolitan Borough of Solihull. Their rights, interests and, in some cases, property are injuriously affected by the Bill, either directly or indirectly, by the works referred to above. Your Petitioners have little confidence that the benefits claimed for the proposed works will be realised, and that it will damage both the national economy and the environment and amenity enjoyed by the population. However, in recognition of the determination of the Promoters to proceed with the scheme, your Petitioners have worked assiduously to win for the people of Solihull Borough the best possible mitigation of the harmful impacts.

The Bill would authorise the construction and operation of some 14 kilometres of the proposed railway, and associated developments, in the eastern part of the Metropolitan Borough of Solihull. The north of this area is occupied by the Town of Chelmsley Wood, which was developed as an overspill of Birmingham in open green fields, 50 years ago. South of Chelmsley lies the Parish of Bickenhill, which contains Birmingham Airport, the National Exhibition Centre, and Birmingham International Station, and which would accommodate a proposed station on the new railway. South again, the proposed railway would run through the Parish of Hampton-in-Arden. The southernmost part of the area is occupied by the Parish of Berkswell, which would receive half the total length of railway proposed for the Borough. It is not proposed to construct any of the new railway in the adjacent parishes of Castle Bromwich, Meriden, Barston, and Balsall, but they would be affected by significant disturbance and environmental damage during construction and afterwards.

This whole area is known as the Meriden Gap, which is an open green interval separating the major conurbations of Birmingham and Coventry. The preservation of this Gap has been a cornerstone of regional planning policy for decades. The Gap forms a corridor between Chelmsley Wood and Coleshill, between Bickenhill and Meriden, and (at its narrowest point) between Balsall Common and Tile Hill. Your Petitioners regret that this confined strip of open Arden landscape has been selected as the preferred route for the scheme, thus jeopardising the continued viability of the Gap. Your Petitioners believe this choice of route would not have been made had proper
account been taken of the injurious affects on the rights, interests, and property of the residents of the area.

**Your petitioner’s concerns**

3. Your Petitioners take objection to the part of the works and the provisions of the Bill that are injurious to our residents, as set out below. Your Petitioners believe the best mitigation for the impacts of the Scheme on the community and the environment would be through lowering the elevation, increased tunnelling, and by realignment. However, as an alternative, the wide range of measures detailed below would provide substantial relief.

**Petitioners’ proposal for a tunnel at Balsall Common**

4. It is generally accepted that placing the proposed railway in a tunnel would reduce many harms of the kinds detailed in this Petition, but that the construction costs would be increased. However, the cost-benefit balance may be favourable when the harms are very large, there are surface features that would otherwise demand route deviations, and there is high ground that would have needed a deep cutting anyway. Your Petitioners believe a cost-benefit analysis would favour a deep-bored tunnel starting to the south of our area at Burton Green in Warwickshire, and continuing through the high ground at Balsall Common to avoid the viaduct across the existing Rugby and Birmingham Railway line and the many injurious affects in Balsall Common and the wider parish of Berkswell. Your Petitioners would respectfully point out that a tunnel on the current alignment would relieve one-third of the injuries to residents and the environment identified in this Petition, and would create the opportunity for achieving greater benefits through a modest realignment of the proposed railway in Hampton-in-Arden, Bickenhill and Chelmsley Wood. Accordingly, your Petitioners seek an undertaking from the Promoter that the railway, comprising Work No. 2/146 and Work No. 3/1, will be placed in a tunnel from Burton Green to a northern portal in a location chosen to minimise the local environmental impact, that corresponding changes will be made to all the subsidiary Works, and that the relevant Plans and Sections will be amended accordingly.

**Petitioners’ proposal for adjustment of the scheme alignment**

5. Your Petitioners assert that many of the potential injuries from which they seek relief arise from an inadequate analysis of alternative alignments by the Promoter, and from the adoption by the Promoter of an unfavourable alignment developed during 2009 in confidential discussions with Solihull Metropolitan Borough Council. Your Petitioners have made numerous requests to both these parties for a re-examination of alternatives and the detailing of a more-easterly alignment for objective evaluation. In response, the Council asked the scheme Promoter to carry out such a study in July 2011, and a year later, your Petitioners gave the Council a detailed Design Brief which would have facilitated such a study by either the Council or the Promoter. A delegation from the Borough Council, accompanied by the MP for Meriden, met the Secretary of State for Transport on 27 November 2012. The key purposes of the meeting were said to be "to press for the maximum length of tunnelling and line re-alignment to the east". Your Petitioners regret that neither the scheme Promoter nor the Borough Council have done the requested engineering study. The Council commissioned a 100-page report of the environmental impacts of several tunnel options, but not including the realignment preferred by your Petitioners. Nonetheless, the Promoter has admitted that a realignment would be practicable and would alleviate many grievances, including
impairment of property, loss of rights, loss of amenity, and permanent damage to the environment. However, it is understood that the Promoter believes this to be uneconomic, as no value is placed on the damage to the environment and communities that would arise during construction and operation of the proposed railway.

6. The Promoter proposes to construct long sections of elevated railway In Hampton-in-Arden, Bickenhill and Chelmsley Wood that would take up vital open space and bring continual noise disturbance. In addition, the proposed route of the railway would require widespread changes to the road network that would cause congestion and pollution when in use, and major disruption during construction. The tunnel in the Burton Green, Balsall Common, and Berkswell areas, proposed in paragraph 4, would allow variation of the alignment to mitigate these harms. Your Petitioners further propose that the tunnel should extend northwards, accompanied by an eastwards adjustment of the alignment, and assert that this would be a cost-effective way of reducing the changes to the main highways. The railway could cross the A45 and River Blythe either in tunnel or on viaduct, depending on the choice of alignment. This small shift of the proposed railway would simplify road access to the proposed Bickenhill and station and inflict less disruption on existing traffic. Your Petitioners assert that this realignment would avoid or mitigate two-thirds of the matters for which undertakings are sought in this Petition, and would save substantial capital cost and disruption arising from the many major changes to the trunk road network. Your Petitioners seek an undertaking from the Promoter that the railway, comprising Work Nos. 2/146, 3/1, and 3/25, will be realigned to the east between Burton Green and Coleshill, with the southern section placed in tunnel, that corresponding changes will be made to all the subsidiary Works, and that the relevant Plans and Sections will be amended accordingly.

Concerns in Castle Bromwich

7. Your Petitioners believe the use of residential roads, including Water Orton Road and the A452, in Castle Bromwich by construction traffic would cause inconvenience, danger, and loss to residents and businesses. Your Petitioners seek an undertaking from the Promoter that the nominated undertaker will be required to use other means or routes for the transport of construction materials and spoil, other than in exceptional circumstances, that the prior approval of Castle Bromwich Parish Council will be obtained for the movement of heavy vehicles, and that impurities therefrom in the air will not be allowed to reach unhealthy concentrations.

Concerns in Chelmsley Wood

8. Your Petitioners are concerned by the expected high noise levels at residential properties on Yorkminster Drive caused by the high speed of trains proposed to run on the Pool Wood Embankment. When first proposed in March 2010, the railway was to be in a cutting more than 3 m deep, and the speed of the trains was to be limited to 315 km/h by virtue of the curving of the line on a radius of 4.5 km. However, the Promoter has straightened the line to a curve radius of 7.9 km, and raised the proposed line speed to 400 km/h with an exponential increase in noise. Furthermore, the line has been elevated to 9 metres and more above ground. Your Petitioners note that it is intended that two-thirds of the trains do not stop at the Bickenhill Station, so would be running at full speed a scant 200 metres from domestic properties. Your Petitioners seek an undertaking from the Promoter that noise barriers will be provided along the whole extent of the Pool Wood Embankment to ensure the maximum noise level from the passage of a train will not exceed 60 dBA at a distance of 200 metres from the line.
9. Your Petitioners are concerned by the disruptive effect of the expected high noise levels on recreational activities in Heath Park. Noting the high standard of noise attenuation that would be necessary at source, because of the closeness of residential properties, your Petitioners believe it is reasonable to seek an undertaking from the Promoter that the maximum noise level from the railway will be kept below 66 dBA at the centre of Heath Park, 100 metres from the railway.

10. Your Petitioners object to the loss of recreational space and the visual intrusion that would be caused by the construction of Work No. 3/25 on an embankment more than 9 metres high and nearly 100 metres long across Heath Park between the Coleshill Heath Road Underbridge and the M6 Viaduct. Your Petitioners seek the displacement of the alignment of Work No. 3/25 some 100 metres eastwards, as previously studied by the Promoter, or failing that, the construction of the Work on a viaduct so that the loss of recreational and visual amenity is reduced to a practicable minimum.

11. Notwithstanding any reduction the Promoter may offer in the loss of recreational space in Heath Park, your Petitioners welcome the proposed provision of additional recreational space in Brickfield Farm. However, little detail is given, and your Petitioners seek an undertaking that the proposed games field to the south of Coleshill Heath Road at Brickfield Farm will be provided fully fit for purpose, in advance of the loss of land in Heath Park for the construction works, and that noise barriers on the Pool Wood Embankment will ensure the maximum noise level from the passage of a train will not exceed 66 dBA at a distance of 100 metres from the line.

12. Your Petitioners note the intention to provide a replacement Pelican pedestrian crossing across Coleshill Heath Road. However, there is reference to some related changes to a bus stop and footpath, with insufficient information to evaluate them. Your Petitioners seek an undertaking from the Promoter that all changes to public access will take account of the needs of users with mobility difficulties and will only be implemented after the views of the public have been received and taken into proper account.

13. Your Petitioners are concerned by the impacts on the health, security, and amenity of residents by the proposed placement of the Coleshill Heath Road Underbridge Satellite Compound on Heath Park and the Coleshill Heath Road Westbound Roadhead spoil heaps on Brickfield Farm. It is anticipated that these facilities would cause considerable nuisance from dust, dirt, fumes, traffic, and noise for a number of years during the construction period, with adverse affects on domestic and recreational activities. Your Petitioners seek an undertaking from the Promoter to relocate these facilities to the east side of Brickfield Farm and that construction traffic will not use Yorkminster Drive.

Concerns in Bickenhill - Brickfield Farm and Pool Wood

14. Your Petitioners object to the loss of agricultural land, the potential severance of wildlife movement routes, and the visual intrusion that would be caused by the construction of Work No. 3/25 on an embankment 8 to 9 metres high and nearly 1.5 km long across Brickfield Farm. The embankment would also pose a threat to the hydrology, as the area is level and poorly drained, and a reduction of permeability will lead to water logging. Further, because small mammals would be able to access the line, barn owls would be attracted and made vulnerable to train strike.

Your Petitioners believe that these difficulties could be reduced by placing the line on a viaduct. As a minimum, a series of tunnels should be provided through the
embankment for wildlife access and to promote drainage, although this would not address the loss of agricultural land or the visual intrusion. Your Petitioners seek an undertaking from the Promoter that this part of Work 3/25 will be constructed as a viaduct north of the crossing of the M42, and that the visual mass of the viaduct and its noise barriers and overhead line equipment be managed by using a through-truss structural design with integral side walls above the tracks rather than a box structure beneath them, and that the architectural design of the viaduct and the integral noise barriers should be of a good standard, with variations in finish along the length to give visual interest and break up the linearity.

15. Your Petitioners object to the damage to the landscape that would be caused by the Pool Wood Embankment, its noise barriers, security fencing, and overhead line equipment, and the consequent loss of amenity and reduction in property values in Chelmsley Wood, Coleshill Heath, the Birmingham Business Park, and surrounding areas. The embankment would also form a backdrop to the new public open space on Brickfield Farm. Although execution of this section of Work No. 3/25 as a viaduct would lessen the damage, your Petitioners seek an undertaking from the Promoter that trees and shrubs of sufficient height will be planted in front of the Work, arranged irregularly and in depth to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

16. Your Petitioners note the proposed balancing ponds adjacent to the Pool Wood Embankment, but are concerned that the ecology of the area will be damaged by the loss of the existing natural pools and shaded woodland environment of Pool Wood. Although this damage would be reduced by constructing this section of Work No. 3/25 as a viaduct, your Petitioners seek an undertaking from the Promoter that substitute aquatic environments will be provided in the Brickfield Farm area that are not part of the drainage system for Work No. 3/25.

17. Your Petitioners are concerned by the harm to the landscape that would be caused by the unnatural long narrow shape and location of the proposed balancing ponds at the foot of the Pool Wood Embankment of Work No. 3/25. It is believed they would be less obtrusive if sited east of the railway line, nearer the M42, and your Petitioners seek an undertaking from the Promoter that they will be relocated accordingly.

18. The southern end of the proposed Pool Wood Embankment would result in the destruction of nearly 5 hectares of natural woodland. It is intended to site a construction roadhead in the wood, construct the 70 metre wide 4-track embankment through it, and convert the surviving area to grassland. Your Petitioners would point out that apart from the ecological value of this wood, it is also used for informal recreational access by the residents of nearby Chelmsley Wood, and that there is a great scarcity of natural green space in the neighbourhood. Notwithstanding any relief provided by the realignment requested in paragraph 10 and the viaduct construction requested in paragraph 14, your Petitioners seek an undertaking from the Promoter that an area of woodland of similar size and character will be created using the remnant area to the west of the proposed scheme and contiguous parts of Brickfield Farm.

19. Your Petitioners would draw attention to the informal use of the field margins of Brickfield Farm for recreation by the residents of Chelmsley Wood and other areas. This is likely to increase with the additional public open space to be provided by the
Promoter. Given the shortage of green amenity space, this is a valuable resource that would be seriously diminished by construction of the proposed Pool Wood Embankment. Until construction of the M42 motorway, there was a public right of way across the farm on Footpath M83. Your Petitioners seek an undertaking that public access to the area will be assured, with, as a minimum, restoration of Footpath M83, and that access beneath Work No. 3/25 will be provided to the area east of the railway.

20. Your Petitioners are greatly concerned by the extent of the changes to the road network caused by the position of Work No. 3/25 and the proposed station at Middle Bickenhill. It is proposed to build or re-build roundabouts at the junction of the A446 and the M6, at the junction of the A446 and the A452, at the junction of the A45 and the M42, at the junction of the A452 and the A45, at the junction of the A452 and the B4438, and at the junction of the A452 and the Solihull Parkway, all within a distance of less the 4 kilometres. It is further proposed to build major bridges to carry the railway over or under the A45, the M6, the M42, two link roads between the M42 link and the M6, and Coleshill Heath Road, all within the same area. Your Petitioners assert that these works would cause very considerable inconvenience, losses, and environmental harm to the residents of Chelmsley Wood, Bickenhill, and surrounding areas, and to people travelling through our area. Further, there will be diversion of traffic from the main roads onto residential roads during the construction phase lasting for up to 6 years. Your Petitioners seek an undertaking from the Promoter that a thorough investigation will be made of how these traffic flows could be accommodated without causing problems in adjoining residential areas, that temporary lane restrictions and closures will be phased to prevent the whole area becoming disrupted, that all restrictions on travel or street-parking will be discussed and agreed with the local communities in advance, and that all changes requested by the local Highway Authority to accommodate the increased traffic when the scheme comes into service will be made.

Concerns in Bickenhill - north of the proposed station

21. Your Petitioners note that the proposed method for carrying Work No. 3/1 across the M42 motorway involves a concrete box structure 150 metres long over each carriageway. Given that vehicle transit times will be 5 seconds or more, your Petitioners consider that hazards would arise because drivers will experience problems of visual accommodation, and that the crudeness of the design will reduce the visual amenity of the area. Your Petitioners seek an undertaking from the Promoter that a beam or truss structure will be used instead, as this would be narrower, less intrusive, and would obviate the need for special carriageway lighting.

22. Your Petitioners would respectfully point out that the proposed crossing of Work No. 3/1 over the M42 motorway will also cross the alignment of the old Welsh drove road, and your Petitioners seek an undertaking from the Promoter that, before excavation work take place, the area will be surveyed for any surface finds by qualified persons and that any area determined to be of archaeological interest will be examined properly.

23. Your Petitioners are concerned about the major road works (Work Nos. 3/22, 3/22F and 3/22G) that are proposed next to Melbicks Garden and Leisure Centre and the Quartz Point Business Park. The disruption to client access is expected to cause impairment of the businesses. Your Petitioners seek an undertaking from the Promoter that compensation will be paid to reflect the actual losses experienced.
24. Your Petitioners note that the proposed replacement access road to Melbicks Garden and Leisure Centre, Work No. 3/22F, would be considerably longer than the present direct access, and less likely to attract passing trade. Your Petitioners seek an undertaking from the Promoter that the proprietors will be fully compensated for any long-term impairment to the business caused by the longer and more difficult access to the site.

25. Public Footpath M105 would be affected by the realigned access road to the Quartz Point Business Park (Work No. 3/22F). Your Petitioners seek an undertaking from the Promoter that warning signs and pedestrian markings will be provided on the new carriageway where the Public Right of Way crosses, and that dropped kerbs with tactile paviors will be provided on the footway.

26. Your Petitioners are concerned by the impact on the landscape of the construction of the new A452/A446 roundabout, comprising parts of Work Nos. 3/22, 3/22F and 3/22G, together with roads included within the new Bickenhill station complex. The Promoter proposes to construct this whole system of roads typically 8 metres above the surrounding terrain, which is already an elevated area, and has offered to provide in mitigation a limited amount of planting of trees and shrubs. Your Petitioners consider it is essential to disguise this visual intrusion by breaking up and naturalising its linear formation, and so seek an undertaking from the Promoter that trees and shrubs will be planted around the Work, arranged to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

Concerns in Bickenhill - the proposed station

27. Your Petitioners wish to respectfully express their disappointment that assurances given by previous Secretaries of State regarding the architectural quality of the proposed Works have not been fulfilled. The appearance of the proposed station at Middle Bickenhill falls far short of what was expected, and, with it visible from many surrounding areas, it would reflect badly on the whole area unless it is superseded by something more imposing. The form and details of the buildings need to have a style that will endure, and to have a quality that will not be degraded by weathering. While it is appreciated that the attributes of elegance, spaciousness, and visual quality will entail additional cost, your Petitioners believe this would be recoverable in the long-term from the franchisees of the scheme. Your Petitioners seek an undertaking from the Promoter that the architectural design of the station will be put out to competition, that a short-list of three designs will be subject to public consultation for a minimum of 12 weeks, and that the views of Solihull Metropolitan Borough Council and Bickenhill Parish Council will be carefully considered in the final selection process.

28. Your Petitioners consider the proposed large expanse of car parks at the station to be detrimental to the area. Your Petitioners seek an undertaking from the Promoter that advantage will be taken of scheduled aggregate extraction to have several levels of parking below ground, that more area within the site will be left for agriculture or landscaping, and that the car parking will laid out more imaginatively, with creative use of different levels, with the surface areas interspersed with gardens and specimen trees.

29. Your Petitioners are concerned that the large areas of surface-level car parking would be used in future for further building development within the Meriden Gap Greenbelt. Apart from the potential detriment to the landscape, further development around
Middle Bickenhill would run counter to efforts to regenerate brown-field sites all across the West Midlands. The transfer of jobs to new industrial and office units around the station would have a depressive effect on the surrounding economy. Your Petitioners seek an undertaking from the Promoter that the car-parks will be disposed on several levels, as in the foregoing paragraph 28, and ask that provisions be inserted in the Bill that would require preference to be given to brown-field sites in the determination of any planning application for further development within the station site.

30. The proposed new station at Middle Bickenhill would occupy a very large area of land, taking in part of the surviving trace of the former Coleshill Railway, the Denbigh Spinney Local Wildlife Site, swamp habitats by the Hollywell Brook, and a series of pools north of Middle Bickenhill Lane. Your Petitioners seek an undertaking from the Promoter that equivalent replacement habitats will be created within the station site as part of the landscaping, that these will be to the satisfaction of local groups such as Warwickshire Wildlife Trust, and that they will be protected and maintained in perpetuity.

31. Your Petitioners note that the proposed People Mover at the station would not provide a service to users of the extensive car parking areas, nor is there any possibility of through-running onto a possible light rail or tram route along the A45 trunk road. Furthermore, with a considerable distance and the M42 motorway between the station and the National Exhibition Centre, Birmingham International Station, and Birmingham Airport, any failure of the People Mover would cause considerable inconvenience. Your Petitioners contend that much further investigation is warranted, and seek an undertaking from the Promoter that a shuttle bus system will be considered as a more flexible, robust, and economical option in the early years of operation of the scheme.

32. You Petitioners note that there would be a considerable risk of spillages and contamination within the proposed Bickenhill station complex. Your Petitioners seek an undertaking from the Promoter that, once operations start, there will be a continuing programme of monitoring and response overseen by a local consultative committee.

Concerns about highways due to the proposed station

33. Your Petitioners object to the widespread changes to the road network that are proposed to give access to the new station at Bickenhill station. Motorists and users of public transport would experience inconvenience, delay, hazards, and costs because of additional journey distance, and new, more constricted, and signalised roundabouts. During the construction phase, these problems would be much larger, for a period of up to 6 years. Furthermore, there would be an adverse climate change effect due to elevated CO₂ emissions. Your Petitioners believe the southbound on-link to the A452 from the A452/A446 roundabout (Work 3/22) and will present difficulties it due to the vertical and horizontal profiles of the road. Construction or modification of six major roundabouts and four large highway bridges are required in the area around the Bickenhill station. Your Petitioners seek an undertaking from the Promoter that a clean-sheet reappraisal of the road network will be made, and would ask that this be included in the evaluation of the possible more-easterly realignment proposed in paragraph 6 to mitigate numerous other harms to residents and the environment.

34. There is a concern that the proposed station at Middle Bickenhill would result in increased car parking problems in nearby villages. Residents represented by your Petitioners already experience inconvenience by people parking, at no cost, and then
going a short distance by public transport to Birmingham Airport or the National Exhibition Centre where the car parking charges are high. Communities affected include Balsall Common, Hampton-in-Arden, and Meriden. There is no desire to introduce charging or restrictions in these villages, so your Petitioners seek an undertaking from the Promoter that agreements made in the future with the operators of the station will require that the charge for car parking will either be an unavoidable element of the railway ticket price, or else set at a modest level.

35. The Promoter has not assessed the affect that the imminent introduction of autonomous cars will have on traffic and on the parking arrangements at the proposed station at Middle Bickenhill. All major car manufacturers are developing self-driving capabilities for their products, and within ten years, these will start to have an affect on how cars are used. A capability to self-park after dropping-off the driver at the station would require little change to the road layout, but if users chose to send their cars back home, this would increase traffic on the roads and need much less car parking space. Your Petitioners seek an undertaking from the Promoter that a study will be done of the potential availability of self-driving car technologies, that the study will report the affect of these developments on traffic predictions and parking demand at the proposed Bickenhill Station, and that the results of the study will guide the choice of the car parking capacity at the station and the predicted financial returns therefrom.

36. Your Petitioners would assert that the proposed closure of Middle Bickenhill Lane to all traffic would have a serious impact on non-motorised users, as well as being an inconvenience to residents. There is a paucity of walking, cycling, and horse-riding routes in this area. Your Petitioners seek an undertaking from the Promoter that a non-motorised route will be provided onto and through the Bickenhill station curtilage from Middle Bickenhill Lane, which would pass under the proposed elevated People Mover (Work No. 3/20 and Work No. 3/20A), and that during construction, temporary closure of the Lane will not take place unless the alternative routes are available and are free from congestion caused by the works.

Concerns in Middle Bickenhill

37. Your Petitioners are concerned that residents adjoining the proposed station in Middle Bickenhill Lane, Park Farm, and Common Farm would be exposed to high levels of noise from the railway, passing road traffic, and users of the extensive car parks. Your Petitioners note that it is proposed two-thirds of trains would pass through the station at full speed, and that no noise barriers are planned. Properties in Middle Bickenhill Lane will be exposed to a forecast night-time noise level exceeding the World Health Organisation (WHO) Interim Target of 55 dB, and therefore will be eligible for noise insulation. According to the WHO, the Interim Target is not an appropriate metric to use in this situation, as it is only recommended when a health-based limit is not feasible, and vulnerable groups cannot be protected at this level. The Interim Target is an average night noise level, and is inappropriate for the sudden-onset noise characteristic of High Speed trains. In addition, properties must be provided with air-conditioning if acceptable interior noise levels mean that windows have to be closed. Your Petitioners seek an undertaking from the Promoter that noise barriers will be provided all around the Bickenhill station and its roadways to ensure that the maximum noise level from the passage of a train will not exceed 60 dBA at a distance of 200 metres from the line, that properties exposed to a higher noise level will be provided with sound insulation and air-conditioning to reduce the interior maximum
noise level from the passage of a train to no more than 45 dBA, and that the external continuous-equivalent noise level due to road traffic at any residential property will not exceed 40 dBA.

38. Residents already suffer loss of amenity and disturbed sleep from badly-directed and excessive illumination of public spaces. Your Petitioners consider the illumination arrangements at the Bickenhill station, its signage, car parks, People Mover and other facilities should be carefully designed to minimise light pollution and loss of amenity, and seek an undertaking from the Promoter that details of the illumination arrangements will be subject to approval by both Solihull Metropolitan Borough Council and Bickenhill Parish Council.

39. Your Petitioners assert that Middle Bickenhill Lane is unsuitable for construction traffic due to its width and the residential properties close to the road. Inconvenience, danger, and loss would be caused to residents and businesses. Your Petitioners seek an undertaking from the Promoter that the nominated undertaker will be required to use other means or routes for the transport of construction materials and spoil, other than in exceptional circumstances, and that the prior approval of Bickenhill Parish Council will be obtained for the movement of heavy vehicles, and that impurities in the air therefrom will not be allowed to reach unhealthy concentrations.

40. Your Petitioners are concerned by the impacts on the health, security, and amenity of residents by the proposed placement of the Logistics and Storage Satellite Compound, the Station Car Park (West) Satellite Compound, roadheads, and huge material stockpiles adjacent to Middle Bickenhill Lane. These facilities would cause considerable nuisance from dust, dirt, fumes, traffic, and noise for a number of years during the construction period, with adverse affects on the domestic and recreational activities of residents. Your Petitioners seek an undertaking that these facilities will be relocated to locations well within the station site, away from residential properties.

Concerns in Bickenhill - commercial premises

41. Residents of our area would be affected by the proposed loss of the Olympia Motorcycle Track and your Petitioners note the Promoter has no intention to provide land and assistance to provide a replacement facility. Your Petitioners seek an undertaking from the Promoter that a replacement motorcycle track, comparable to the current one in utility and amenity, will be provided by the Promoter without imposing any financial or administrative burden on the management of the current facility.

42. The proposed use of the road network within the environs of Birmingham Airport, Birmingham International Station, and the National Exhibition Centre by construction traffic would have the potential to cause major delays and loss to travellers, visitors, employees, and the enterprises mentioned. Your Petitioners seek an undertaking from the Promoter that construction traffic and temporary restrictions and closures will be phased to prevent major disruption, and that prior agreement will be obtained from the local Highway Authority, Bickenhill Parish Council, and local businesses.

43. The Promoter proposes to reduce the car parking space at Birmingham Airport and at the National Exhibition Centre both during construction and afterwards. It is also proposed to reduce the space for the parking of taxis at Birmingham Airport. Your Petitioners seek an undertaking from the Promoter that the views of the proprietors of
these businesses will be respected, and that replacement space will be provided by the Promoter using a multi-storey arrangement or otherwise, if requested.

Concerns near the Stonebridge roundabout

44. Your Petitioners are concerned about the effect on the landscape of the proposed extensive highway works around Stonebridge roundabout, including realignment of the A45 and A452 (Work Nos. 3/16 and 3/19), balancing ponds, the revised access road to the Malt Shovel Toby Carvery (Work No. 3/19A) and other new access roads. Your Petitioners seek an undertaking from the Promoter that the Works and the proposed landscaping will harmonise with the current appearance of the highways, that the trees and shrubs planted around the Works will be arranged irregularly and in depth to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

45. It is noted that the Promoter proposes to rebuild the southern approach of the A452 to the A45 roundabout as part of Work No. 3/19, but does not propose to raise the level of the low-lying section near the junction of Diddington Lane, which is periodically closed by flooding of the River Blythe. In seeking a remedy to this issue, your Petitioners place reliance on the survey information obtained by the Promoter’s agents through photogrammetry as shown on drawings such as C224-ARP-CV-DPP-040-321300. Your Petitioners seek an undertaking from the Promoter that the carriageway of the A452 will be raised by about a metre, so that no part of it in this area will be below about 84 m above Ordnance Datum Newlyn, and that Work No. 3/19 will be extended southwards as necessary to provide this flood resilience.

46. Your Petitioners are concerned about Public Footpath M96 which is in the parish of Great Packington, Warwickshire, but joins the existing A452 on the boundary of Solihull Borough to the north of the Stonebridge roundabout. The proposed realignment of the A452, Work No. 3/19, would mean that users of the footpath approaching the A452 from the Packington direction would have to negotiate a new drainage ditch and a modified embankment, which could be particularly difficult for persons of reduced mobility. Your Petitioners seek an undertaking from the Promoter that the path will be graded and surfaced conveniently, that the bridge across the new ditch will be safe for all users, and that any boundary structure will conform to the accessibility requirements of British Standard 5709.

47. Your Petitioners would draw attention to the concerns of residents and businesses about the impact of the construction of Work Nos. 3/16, 3/19, and subsidiary Works on the traffic using the A45 and A452. There is already major congestion at peak-times, especially when there are popular events at the National Exhibition Centre. Construction traffic, highway restrictions, and closures would potentially cause inconvenience, danger, and loss to road users, Birmingham Airport, the National Exhibition Centre, and rail passengers using Birmingham International Station. Your Petitioners seek an undertaking from the Promoter that construction traffic and temporary restrictions and closures will be phased with the prior agreement of the local Highway Authority and local businesses to prevent major disruption, and that the nominated undertaker will be required to use other means or routes for the transport of construction materials and spoil, other than in exceptional circumstances.
48. Your Petitioners are concerned about the major road works (Work Nos. 3/16 and 3/19) that are proposed next to the Malt Shovel Toby Carvery and the proposed extension of the access road to it. Disruption of client access is likely to affect patronage and cause business impairment. Your Petitioners seek an undertaking from the Promoter that compensation will be paid to reflect the actual losses experienced, both during construction and afterwards.

**Concerns along the A45**

49. Your Petitioners object to the impact on the proprietors and the inconvenience that would be experienced by our residents from the proposed demolition of the Top Hat and Tails kennels without any assistance to find an alternate site and buildings. Your Petitioners seek an undertaking that a substitute facility, comparable to the current one in utility and amenity, will be created by the Promoter without imposing any financial or administrative burden on the management of the current business.

50. The Promoter proposes to offset the temporary loss of 30 car parking spaces at the National Motorcycle Museum during the construction phase by providing an additional area of parking. It is said the required additional area is 1.9 ha, equivalent to 633 m² per space. This is some 50 times the area of a basic parking bay. Of the additional area shown in the Environmental Statement maps, 0.4 ha appears to be grassed, 0.6 ha is hard-surfaced as an overspill car park, and the remaining 0.9 ha comprises landscaped car parking and access roads. The Environmental Statement says the proposed additional temporary area is used on an occasional basis as informal overspill car parking, so it is difficult to see how there would be any net increase in the amount of car parking space. Public Footpath M107 runs along the edge of the area, and terminates at a junction with the A45, but does not facilitate safe pedestrian access across the A45.

The area is in the Green Belt, but it is not stated whether the intention is to extend the area of hard standing, to upgrade the existing surfacing, or to change the access roadways. Your Petitioners are concerned that an additional area of about a hectare could be rendered impermeable, with a consequential impact on flooding of adjoining areas. Your Petitioners seek an undertaking from the Promoter that all surfacing will be permeable, that the grassed area will be restored to its current condition after the highway works are completed, and that the amenity of the area will be assured both during the period of temporary use, and afterwards, and that Footpath M107 will be extended by some 100 metres on its generally east-north-easterly alignment, to join the loop road and underpass to the Eastway.

**Concerns near Pasture Farm, Diddington**

51. Pasture Farm at Diddington is greatly affected by the proposed railway, which would sever the farm with a cutting 9 metres deep. The Promoter had proposed to provide access to the farm with an overbridge across the line, Work No. 3/15, but this proposal has been withdrawn, increasing the severance effect on wildlife. Your Petitioners seek an undertaking from the Promoter that an overbridge constructed as a wide "green" bridge, totalling around 30 metres width, will be provided to provide access and for wildlife to cross, and that its noise walls and parapets will be designed to match local styles, and will be subject to approval by Hampton-in-Arden Parish Council.
52. The Promoter accepts that the proposed railway would cause elevated noise disturbance at Pasture Farm, where the line passes well within 100 metres of the buildings. Your Petitioners are disappointed that the disturbance is assessed using incorrect and outdated criteria, and seek an undertaking from the Promoter that, where the maximum noise level from the passage of a train, measured outside the residential buildings, exceeds 60 dBA, sound insulation and air-conditioning will be provided to reduce the interior maximum noise level to no more than 45 dBA.

53. Your Petitioners anticipate that, in the neighbourhood of Pasture farm and Public Footpath M114, there would be a need for noise barriers, despite the proposed railway, Work No. 3/1, being recessed in the Diddington Cutting. To minimise the visual intrusion of these noise barriers on the lip of the cutting, your Petitioners seek an undertaking from the Promoter that trees and shrubs of sufficient height will be planted in front of the Work, arranged irregularly and in depth to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

54. It is noted that the railway, Work No. 3/1, in the Diddington Cutting would have a very shallow fall northwards, toward the A45, but there is concern that in storm conditions, there is potential for contaminated water from the track to flow back southwards into the Shadow Brook and the River Blythe. Your Petitioners seek an undertaking from the Promoter that a system of bunds and filtration will be provided to ensure that any pollutants will be eliminated before the storm-water reaches these watercourses.

55. The Promoter proposes to relocate the Bickenhill Waste Recycling Centre from its location generally west of the proposed railway, to a new larger site in the Green Belt, to the east of the railway. The only reason given is concern about "construction and operational access issues at the existing facility". The proposal has been assessed in relation to just one environmental topic, Cultural Heritage. Access to the site would be provided by Work No. 3/168. This proposed development is contrary to the Green Belt designation in the Solihull Local Plan, and no special justifications have been put forward. There is no discussion of any alternative, and there has been no public consultation about the proposal, which would result in further urbanisation of this critical area in the Meriden Gap, whose protection is included in the Local Plan. Your Petitioners seek the deletion of this provision.

56. The north-west section of Public Footpath M114 would come into the area affected by the relocated Recycling Centre. The path would run alongside plantings adjacent to the Waste Centre and emerge onto the service road just where vehicles would be turning into the Centre. Pedestrians heading westwards would have to walk across both the entrance and the exit to the new Waste Centre. Given the loss of amenity associated with this change, it would be preferable for path users that the path be diverted onto the access track to Pasture Farm. The junction with the service road would be a safer location for pedestrians to join the carriageway, and would remove the need to cross the Waste Centre entry and exit slip-roads. Your Petitioners seek an undertaking from the Promoter that Public Footpath M114 will be kept open during construction of the proposed Waste Recycling Centre, and that the footpath will be diverted to run along the access track to Pasture Farm with a safe junction onto the footway along the A45 Service Road.
57. The scheme for the relocation of the Bickenhill Waste Recycling Centre includes a large balancing pond. A number of earlier representations have been made pointing out that large balancing ponds are incongruous with the Arden landscape, and your Petitioners seek an undertaking from the Promoter that the proposed large balancing pond will be replaced by several smaller ponds, that these will be configured to blend with the landscape, and that screening foliage will be planted early in the construction phase.

58. Your Petitioners are pleased that during the construction period, the Promoter proposes to divert the south-east part of Public Footpath M114 along Diddington Lane and the private access track to Pasture Farm. However, retention of this diversion would cause a significant loss of utility and amenity. In particular, if the new road, Work No. 3/15C were to be built, the diversion would impose an unnecessary detour. There seems no particular difficulty in providing a graded approach for the path to pass over the embankment of Work No. 3/15C. Your Petitioners seek an undertaking from the Promoter that this temporary diversion will be available for use at all times when the lawful route of M114 is closed by the proposed construction works, and that this section will be restored to its current alignment afterwards.

Concerns near the Shadow Brook, Diddington

59. Your Petitioners deplore the proposed siting of the Shadow Brook Underbridge Satellite Compound and the series of roadheads and spoil heaps in the fields to either side of Diddington Lane. These material stock piles would be major dust sources, and would be too close to agricultural operations and dwellings at Pasture Farm and Diddington Farm, and the Island Project Special School in Diddington Hall. It is anticipated that these facilities will cause considerable nuisance from dust, dirt, fumes, traffic, and noise for a number of years during the construction period, with adverse affects on the domestic and recreational activities of residents. Your Petitioners seek an undertaking that these facilities will be relocated much further away from the listed premises, and would draw attention to the active areas of aggregate extraction near Cornets End.

60. Local people were pleased that the Promoter intended to close Diddington Lane for through-traffic and preserve it for non-motorised users, but the current proposal is to create a new by-pass road, Work No. 3/15C, for vehicular traffic. The Promoter's proposed new road is contrary to the wishes of local residents and is likely to make Diddington Lane a busy short-cut to the station at Middle Bickenhill. It had been agreed the road was unnecessary for ordinary public vehicular use, but that there had to be proper access for agricultural traffic. The Promoter's scheme shows this can be provided on the existing Lane. The proposed road, Work No. 3/15C, would have a severe adverse impact on the landscape, agriculture, dust and fumes, wildlife severance, ground-water and flooding, and the amenity of residents. Your Petitioners seek an undertaking that the Promoter Work No. 3/15C will not be constructed.

61. Keeping the original Lane as a Bridleway appears attractive, but the proposed route through the gap in the embankment is circuitous and inconvenient. It would be more than 100 metres longer than the original roadway, requires three separate bridges across ditches and the Shadow Brook, and appears susceptible to water-logging in wet weather, even if the path is above the flood level. The inconvenience and poor amenity of the "old" Lane is likely to discourage use, and non-motorised users might prefer Work No. 3/15C, if it were constructed, as it is only one kilometre long. Given the potential for the Diddington Lane Embankment to impede the flow of ground-water and surface floodwater, it would seem many problems could be solved by reverting the scheme to
the open viaduct that was proposed originally. Your Petitioners seek an undertaking from the Promoter that the embankment will be changed back to an open viaduct construction, that the former road surface and bridge will be retained as a direct route for walkers, cyclists, and equestrians, that the opening beneath the viaduct will be closed to normal vehicle traffic, and that the maintenance access track onto the railway from the north will be realigned to accommodate the non-vehicular access route.

62. Your Petitioners have a concern about the visual impact on the landscape of the new embankment and bridges proposed as a part of Work No. 3/15C across the railway and the Shadow Brook. The embankment and bridges are in a dominant position in the landscape, rising to 4 metres above ground. On top of that there will be parapets. Your Petitioners seek an undertaking from the Promoter that, if Work No. 3/15C is constructed, the parapets will be designed to match local styles and will be subject to approval by Hampton-in-Arden Parish Council, that no highway lighting will be provided, that trees and shrubs of sufficient height will be planted in front of the Work, arranged irregularly and in depth to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

63. Your Petitioners note that the Promoter’s proposals will result in the landholding of Home Farm, Hampton-in-Arden, being cut in two by the proposed railway. Access will need to be retained along Diddington Lane across the Shadow Brook to avoid lengthy detours between the two parts. Your Petitioners seek an undertaking from the Promoter that, in providing the access requested in paragraph 60, adequate width and height will be provided for agricultural traffic, that the headroom will be achieved without elevating Work No. 3/1 more than 7.94 metres above the Shadow Brook, and that gates will be provided to exclude unauthorised vehicular traffic.

64. The two proposed balancing ponds on either side of the Shadow Brook are thought to be inappropriate in this area, being much larger and regular in shape than natural pools. Your Petitioners seek an undertaking from the Promoter that the two balancing ponds will be replaced with a number of smaller ponds, and that these will be naturalised and concealed with shrubs and trees of species that are already growing in the area.

Concerns about the Island Project School and Diddington Hall

65. Your Petitioners are concerned that the elevation of the proposed railway on the Diddington Lane Embankment would cause high noise levels to reach out to the A452, to Mouldings Green and the Diddington Hall special school, and on the other side of the line, to properties on Diddington Lane. Your Petitioners seek an undertaking from the Promoter that noise barriers will be provided between the Meriden Road and Pasture Farm to ensure that the maximum noise level from the passage of a train will not exceed 60 dBA at a distance of 200 metres from the line.

66. The Promoter came to accept the potential impact the Scheme would have on the Island Project School, which caters for children with very special needs arising from autism. Disturbance arising during the construction period is likely to be very difficult for these children, and, notwithstanding the control on noise sought in paragraph 65, the School may not provide a peaceful environment when the line is operating. Your Petitioners are pleased alternative premises have been found for the Project, but believe that Springfield House, Temple Balsall, might have been more suitable than Jerrings Hall Farm, if vacated by Birmingham City Council as announced. Your Petitioners are
disappointed about the lack of public consultation on this important matter, and seek an undertaking that every possible measure will be taken to support and facilitate the transfer of the Project to Jerrings Hall Farm, that everything will be done to allow the School to function during the HS2 construction phase, and that immediate enforcement measures will be taken to stop any construction activities found to be disruptive.

67. Jerrings Hall Farm is a listed building, and your Petitioners are concerned about the lack of detail in the proposals to make the Farm suitable for the Island Project School. Whilst it is felt that the normal Planning process will control internal changes to the buildings, there is concern the proposed "modular building" will have an adverse impact on the setting. Your Petitioners seek an amendment to the proposals to require that any additional accommodation or facilities are constructed to a permanent standard, and that the appearance of such additions will be chosen to minimise any adverse impact on the setting of the listed buildings to the satisfaction of the conservation specialists in the Local Authority, Historic England, and Dickens Heath Parish Council.

Concerns near Mouldings Green Farm and Diddington Lane

68. The elevation of the Diddington Lane Embankment and Shadow Brook Underbridge would cause a serious impact upon the landscape, even if an open viaduct structure were adopted. The overhead line equipment will be up to 15 metres above the level of the Brook. Your Petitioners seek an undertaking from the Promoter that the noise barriers will be given a visual finish to break up their outline and tone with the area, that trees and shrubs of sufficient height will be planted in front of the Work, arranged irregularly and in depth to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

69. Residents believe they will suffer inconvenience, danger, disturbance, pollution, and loss of property value by the proposed use of Diddington Lane for construction traffic. The Lane has many residential properties and is an important route for pedestrians, cyclists, and equestrians. Given the availability of the line-of-route itself and the nearby A452 dual carriageway, and other means for moving equipment and materials, your Petitioners believe the use of the Lane is unnecessary. The problem would be eliminated if the more-easterly alignment, proposed in paragraph 6, were adopted. Your Petitioners seek an undertaking that the nominated undertaker will be required to use other routes and means instead of Diddington Lane for the transport of construction equipment and materials, other than in exceptional circumstances.

70. The use of the River Blythe Satellite Compound is to be extended by 12 months. The residents of Diddington Lane also take exception to the proposal to site the Compound and two large spoil heaps adjacent to their dwellings. The material stock piles would be major dust sources, too close to agricultural operations and dwellings at Mouldings Green Farm and along Diddington Lane. Residents would suffer significant nuisance from dust, dirt, fumes, traffic, and noise for a number of years during the construction period, with adverse affects on the domestic and recreational activities of residents. Furthermore, the Promoter seems to disregard the fact that these facilities would be located on ground that is routinely flooded to a depth of 1 metre and that they would exacerbate flooding issues in the area. Your Petitioners seek an undertaking that these facilities will be relocated much further away from residential properties and agricultural land, and suggest the active areas of aggregate extraction near Cornets End.
71. Your Petitioners observe the Promoter’s proposal that continued access between the two parts of Mouldings Green Farm severed by Work No. 3/1 would be provided beneath the River Blythe Viaduct. However, this would require bridges over two drainage channels and would be susceptible to flooding. It would appear that the proposed viaduct has adequate headroom to allow the access route to be elevated above flood level, and access track between the two sections of Mouldings Green Farm will be properly engineered to allow all-season access for heavy machinery, that the surface will be consolidated to the full length of the diverted route, and that there will be at least 5 metres headroom.

72. It is a matter of regret that the proposed scheme would cause serious habitat loss at Mouldings Green Farm. The Promoter concedes there would be significant loss of species-rich marshy grassland habitat, including the Local Wildlife Site, which supports the rare blue speedwell. The proposals for the creation of replacement habitat is appreciated, but your Petitioners seek an undertaking from the Promoter that these proposals will be implemented in a timely manner, that the replacement habitats will be local to the area, and that the proposed nearby replacement floodplain storage areas and balancing ponds will be developed sympathetically to complement the designated ecological replacement areas.

73. Your Petitioners welcome the change of Work No. 3/1 between Patrick Farm and the River Blythe from an embankment back to a viaduct. However, it would still be a major structure topped by noise barriers and overhead line equipment. Residents and visitors would suffer a severe loss of visual amenity that needs to be mitigated to the best possible extent. Your Petitioners seek an undertaking from the Promoter that the elevation above the River Blythe floodplain will be reduced as much as practicable, that the architectural design of the structure and noise barriers will be of a good standard, with variations in finish along the length to give visual interest, tone with the area, and break up the linearity, that trees and shrubs of sufficient height will be planted in front of the Work, arranged irregularly and in depth to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

Concerns near Patrick Farm, Hampton-in-Arden

74. South of Patrick Farm, the proposed railway, Work No. 3/1, crosses the former main road, now designated Footpath M230A, which is part of the old Welsh drove road. Your Petitioners seek an undertaking from the Promoter that, prior to any construction activity, the area will be surveyed for possible surface finds by qualified persons and that any area determined to be of archaeological interest will be examined properly.

75. The Promoter proposes to divert Public Footpath M230A to avoid the need for it to cross the proposed railway, Work No. 3/1. This diversion, made by Work No. 3/10, might be advantageous for path users heading toward Hampton-in-Arden, but the details are less than satisfactory. The Promoter’s maps show a number of changes of direction where the diversion passes a balancing pond and descends off the current wide tarmac surface. The published Section of the Work indicates the nominal level of the diversion would drop into the River Blythe floodplain at about 84 metres above the Ordnance Datum Newlyn. The Promoter now proposes to put the path on an embankment, but the plan and section in the Bill have not been changed. The diversion will be inconvenient to users, and compromise the amenity of the route. Your
Petitioners seek an undertaking from the Promoter that Work No. 3/10 will be created in a smooth continuous style to preserve the character of the existing way, that the right-angle turns will be removed, that its level will be built up to keep it at least 1 metre above the adjacent floodplain, that the position of its junction with the existing route will be exchanged with that of the proposed maintenance turning point for the balancing pond, and that its width and surface will match that of the current way.

76. Your Petitioners note that the proposed junction of the diverted section of Public Footpath M230A with the Meriden Road B4102 would be at a point where there is no footway on the south side of the road where there have been frequent traffic accidents because of the road profile and restricted view. This will be inconvenient and hazardous for users of the path. The adjacent bridge over the River Blythe has a segregated footway on the north side of the carriageway, but crossing the road at this point would be dangerous for pedestrians. Your Petitioners seek an undertaking from the Promoter that an additional footway will be created on the south side of the current bridge over the River Blythe, and that the footway will be continued at the side of the carriageway for some 60 metres to the junction with Public Footpath M118.

77. The latest Section of Work No. 3/1 published by the Promoter does not show the elevation of the proposed railway above the B4102 Meriden Road, but it appears to be unchanged at a rail elevation of 8.95 metres above the road. The noise barriers and overhead line equipment would be 7 metres above the rails. Over the River Blythe, the height of the viaduct is given as 8.24 metres. Given the prominent position of this structure in the valley of the River Blythe, it is important to reduce the visual intrusion by lowering the railway as much as possible. Your Petitioners seek an undertaking from the Promoter that the maximum elevation of the rails will be reduced significantly by using a through-truss structural design for the underbridge with integral side walls above the tracks rather than a box structure beneath them.

78. Your Petitioners note that the Promoter has changed the design of the proposed B4102 Meriden Road underbridge back to a viaduct concept, instead of the slab-sided concrete structure with solid embankments. Your Petitioners seek an undertaking that aesthetic considerations will be taken into account in the design of the structure, and that its appearance will be subject to approval by Hampton-in-Arden Parish Council.

79. Your Petitioners believe that the material stock piles, adjacent to the proposed Patrick Cutting, and the River Blythe Bypass Culvert Satellite Compound would be sources of dust and disturbance to residents, businesses, and agricultural operations between Patrick Farm and the A452. Nuisance from dust, dirt, fumes, traffic, and noise is predicted to continue for a number of years during the construction period. Your Petitioners seek an undertaking from the Promoter that these facilities will be relocated much further away from residential, business and agricultural properties.

80. The Promoter appears to accept that premises at Patrick Farm will experience high operational and maintenance noise levels, despite technological improvements. As well as the residential part of the Farm, 18 commercial units are now identified as offices liable to disturbance. Your Petitioners seek an undertaking that every practicable means will be used to reduce the external peak train noise levels to 60 dBA, and that properties exposed to a higher noise level will be provided with sound insulation and air-conditioning to reduce the interior maximum noise level to no more than 45 dBA.
81. Residents in our area would be impacted by the proposed loss of the Heart of England Aeromodellers site south of the Meriden Road. It is unsatisfactory that this long-established club be left to its own devices to find a replacement facility of equivalent convenience and utility. Your Petitioners seek an undertaking that a replacement site, comparable to the current one in utility and amenity, will be provided without imposing any financial or administrative burden on the Heart of England Aeromodellers club.

Ecological concerns near Patrick Farm, Hampton-in-Arden

82. Your Petitioners object to the harm that the proposed scheme would cause to the Patrick Farm Meadow Local Wildlife Site and the adjacent River Blythe Site of Special Scientific Interest. The promoter acknowledges there would be significant loss of marshy grassland habitat and rare species such as the blue speedwell. Your Petitioners seek an undertaking from the Promoter that the proposed replacement grassland habitat will be created promptly to offset the environmental losses, that this will be done near to the damaged areas, and that some of the replacement floodplain storage area and balancing ponds will be developed as additional wetland habitat.

83. The Promoter has acknowledged that the proposed operation of trains at very high speeds would be a threat to birds, in particular, barn owls. It is expected that barn owls would be exterminated within 1.5 kilometres of the railway, because they would be struck by trains while hunting for small mammals on the tracks. It is likely that the barn owl population near Patrick Farm would be destroyed. Your Petitioners would point out that this species is already under threat, and seek an undertaking that alternative habitats for barn owls will be created in advance of any construction works in the neighbourhood of Patrick Farm, that these habitats will be within Solihull Borough and have suitable food sources, that every practicable means will be used to re-locate barn owls to these new habitats, and that assistance to sustain the re-located barn owl populations will be continued for as long as is necessary to ensure that they will thrive.

84. It is noted that the Promoter proposes to acquire permanently some 5% of the area of the Marsh Lane Nature Reserve, to the east of the former Kenilworth Road, now Public Footpath M230A. The Reserve consists of pools, a reed bed, woodland, and grassland, and nearly 200 species of bird have been observed there. It has many visitors including the West Midlands Bird Club. The potential affect on the visiting bird populations is unknown, but the Promoter has offered to create additional habitat on adjacent farmland. The damage to the Reserve could be avoided by the realignment of the scheme requested in paragraph 6 to mitigate numerous other harms to residents and the environment. Your Petitioners seek an undertaking that the substitute habitat will be created promptly to the full satisfaction of the operators of the Reserve.

Concerns about the A452 overbridge

85. Your Petitioners are concerned that birds approaching the Marsh Lane Nature Reserve would be susceptible collision with the overhead line equipment and to collision with the high speed trains. Your Petitioners seek an undertaking that, should the noise barriers be insufficient to discourage birds from flying too close, physical means will be provided to reduce the risk to over-flying birds, and that the obligation to provide these means at a future date will be transferred to the eventual operators of the railway.

Concerns about the A452 overbridge

86. Your Petitioners observe that the impact of the works proposed on the A452 near Marsh Lane would not arise if the scheme were realigned, as requested in paragraph 6. As currently proposed, Work No. 3/9 would be a large viaduct to carry the A452 dual-
carriageway over the proposed railway, close to where a service road and the Mercote Hall Lane Accommodation track join the main road. Your Petitioners believe that serious harm will befall residents, visitors, businesses, and the environment due to defects in the scheme. The Promoter proposes to construct a roundabout at the junction of the A452 with Marsh Lane and the Mercote Hall Lane trackway (which is also Bridleway M218). However, Schedule 1, Plan Sheet 3-004, or Section Sheets 6-007 and 6-008 no longer depict correctly the proposed Works No. 3/9, 3/9A, 3/9B, and 3/9C. Consequently your Petitioners have no dimensional information upon which to make an informed assessment of the roundabout shown as some 80 metres diameter, on a dual-carriageway having a 4% gradient. Your Petitioners do not believe the revised Works can be constructed within the Limits of Deviation permitted in Schedule 1 subparagraphs (1) and (2), and seek an undertaking that revised Plans and Sections of the Works will be published and that your Petitioners will be afforded the opportunity to make further requests for relief from any injurious affects.

87. Your Petitioners requested an underpass be provided at the A452/ Mercote Hall Lane junction to provide safe ingress and egress for Heavy Goods Vehicles using the adjacent Lincoln Farm café, and safe and convenient access for agricultural, cycle, and equestrian traffic to the track designated as Public Bridleway M218. In contrast, Solihull Metropolitan Borough Council asked for a roundabout in conjunction with a Pegasus crossing for equestrians. The Promoter now proposes a roundabout, but your Petitioners note no safe crossing for bridleway users is proposed. Your Petitioners believe a roundabout is unsuitable because of the topography, the configuration of the Work No. 3/9 bridge, the horse and cycle traffic, the need to avoid interruption of the traffic flow on the dual carriageway, inconvenience to the great majority of highway users, noise, and pollution. Because little traffic enters or leaves the A452 at this point, your Petitioners believe there is no case for inconveniencing and endangering the great majority of road users. Your Petitioners believe a single-carriageway underpass, with signal control, would probably be adequate, and the signals could be arranged to give priority to cyclists and equestrians. The Environmental Statement gives scant mention or assessment of any injurious affects, for instance dismissing the delay to traffic as "not considered to be significant". Your Petitioners note also that the roundabout will extend the duration of works by 6 months, and will extend the impacts of the scheme to more properties. Your Petitioners seek an undertaking from the Promoter that a full evidence-based evaluation will be made of the junction options, and that an underpass will be provided for vehicles and bridleway users crossing the A452.

88. It is proposed to provide for street lighting along this whole section of the A452 dual carriageway, which is admitted to increase urbanisation within the rural context. Given the increasing adoption of driver-assistance technology that is not dependent on street lighting, your Petitioners find no need for the intrusion and loss of amenity caused by street of lighting, and seek an undertaking from the Promoter that the proposal for lighting will be withdrawn, but if not, that any carriageway lighting provided on or near the A452 Overbridge during construction, or added later, will be designed to minimise light spillage beyond the carriageways, and will be subject to the approval of both Berkswell and Hampton-in-Arden Parish Councils, and of local amenity groups.

89. Because of the number of Heavy Goods Vehicles using the service road near Marsh Lane, it is essential that adequate acceleration and deceleration lanes are provided for vehicles joining or leaving both north-bound and south-bound carriageways of the A452.
on Work No. 3/9. The maximum gradient of the main carriageway on Work No. 3/9, as proposed by the Promoter, is 4%. Your Petitioners seek an undertaking from the Promoter that acceleration and deceleration lanes will be provided to both carriageways of the A452 from the Marsh Lane service road, and that the acceleration and deceleration ramps will extend at least to the crown of Work No. 3/9.

90. Notwithstanding the improvements to the junction design requested by your Petitioners, it is apparent that the extended and more indirect access from the A452 to the Lincoln Farm café will be to the detriment of users and trade of the café. There will also be serious inconvenience and loss during the construction phase. Your Petitioners seek an undertaking from the Promoter that all practicable steps will be taken to provide adequate signage to the Lincoln Farm café from the A452, and that an agreement will be negotiated with the proprietors to provide compensation for the impairment of the business during both construction and the long-term.

91. As proposed by the Promoter, Work No. 3/9 will be about 1.6 km long, and have a road level 10.3 metres above the rails, and a maximum elevation of the road above the ground of 13.15 metres. It will dominate the landscape for a considerable distance all round and have an adverse affect on the amenity of neighbouring properties. Your Petitioners seek an undertaking that the heights defined in the current published Section will be made the maximum permitted heights for the executed Work.

92. With residential properties nearby on Marsh Lane on both sides of the A452 and at Mercote Mill Farm, there is considerable concern about traffic noise from the elevated part of Work No. 3/9. It is anticipated that the proposed station at Middle Bickenhill would lead to increased traffic. Your Petitioners seek an undertaking from the Promoter that Work No. 3/9 will be provided with parapets that will serve as noise barriers to reduce noise levels at any of the adjacent properties to a continuous-equivalent outside noise level no more than 40 dBA.

93. As stated in paragraph 91, Work No. 3/9 would dominate the landscape, due to the height necessary to pass over the proposed railway and the provision of parapets to contain traffic noise. Your Petitioners consider it essential the architectural design of the Work be carefully detailed to suit the location, and seek an undertaking from the Promoter that the architectural design will be subject to the approval of both Berkswell and Hampton-in-Arden Parish Councils, and of local amenity groups.

94. Your Petitioners are concerned about the extent of the proposed embankments making up the A452 Overbridge, Work No. 3/9. The solidity of the embankments would add to the detriment to the landscape, impound groundwater, and sever wildlife migration routes. The embankments also require diversion of the Horn Brook and its tributary (Work No. 3/11 and Work No. 3/11A). Your Petitioners seek an undertaking that the proportion of open viaduct structure in Work No. 3/9 will be significantly increased.

95. Your Petitioners note that the proposed A452 Overbridge, Work No. 3/9, would impose a maintenance burden on the Highway Authority, and they seek an undertaking from the Promoter that the future operators of the proposed railway will be required by contract to cover any highway maintenance cost in excess of that which would have arisen without construction of the Works proposed in the Bill.
Concerns about Mercote Hall Lane

96. Public Bridleway M218 follows Mercote Hall Lane Accommodation track, and your Petitioners assert the diversion proposed by the Promoter as Work No. 3/9A, would be inconvenient and destroy its amenity. Your Petitioners would respectfully point out the current route is not as depicted on the Promoter’s Plan 3-004 and Schedule 4 of the Bill, but joins the A452 dual-carriageway at a point directly opposite the opening in the central reservation for the service road to Marsh Lane. It has not continued to Point P1, referred to in the Bill and Plans, since well-before the boundary changes of 1974. There is natural continuity between Bridleway M218 on one side of the A452, and Marsh Lane and Public Footpath M230A on the other. Vehicles using the accommodation track are able to cross the central reservation at this point. Your Petitioners seek an undertaking that the Promoter will check and correct the claimed alignments of all Public Rights of Way in our area against the Definitive Map, that Work No. 3/9A will be revised so that it will cross the proposed railway westwards and descend to join the A452 close to the current junction, that the track will align with the underpass requested in paragraph 86, and that convenient access will be maintained throughout construction.

97. The Mercote Hall Lane Accommodation Overbridge, Work No. 3/9A, is proposed by the Promoter to have a nominal elevation of 9.3 metres above rail height, which would be 2 metres above the natural ground at that point. Your Petitioners fear that this structure will be very intrusive in the landscape, and seek an undertaking from the Promoter that the maximum elevation of the overbridge surface will be reduced to a maximum of 10.5 metres above the natural ground through redesigning the structure.

98. The noise of the trains could be a hazard for people riding or leading horses across the proposed overbridge on Public Bridleway M218, due to its intensity and rapid onset. Your Petitioners seek an undertaking from the Promoter that the bridleway overbridge will be furnished with barriers to reduce noise and air blast to a safe level, and will certify that the noise level is safe for the riding or leading of horses.

99. The Promoter indicates that the maximum gradient on the Mercote Hall Lane Accommodation Overbridge, Work No. 3/9A, would be 8%, whereas the rest of the track is essentially flat. The proposed overbridge would introduce an icing hazard in winter conditions. Water would not accumulate and freeze to a dangerous extent if the surface were kept in good condition, making an additional responsibility for the landowner. Your Petitioners seek an undertaking that Work No. 3/9A will be dedicated to the public and maintained and gritted by the Highway Authority, or that the landowner will be compensated by wayleave payments or otherwise for the inconvenience and cost of procuring maintenance and gritting of the Work.

100. Your Petitioners are concerned that the visual appearance of the Mercote Hall Lane Accommodation Overbridge, Work No. 3/9A, would degrade the landscape because of the design of the structure, noise barriers, and vehicle crash barriers. Your Petitioners seek an undertaking that the visual intrusion of the overbridge will be reduced by attention to the design details, colouring, and finish, and that the appearance of the overbridge will be subject to the approval of Berkswell Parish Council.

101. Your Petitioners are concerned about the extent of the proposed embankments making up the Mercote Hall Lane Accommodation Overbridge, Work No. 3/9A. The solidity of the embankments would increase the intrusive affect of the structure and impound
groundwater. Your Petitioners seek an undertaking from the Promoter that the extent of the solid embankments of Work No. 3/9A will be reduced as far as practicable.

102. Your Petitioners are disappointed that there is no reference in the documentation to a change to the Mercote Hall Lane overbridge visible on the map in the Environmental Statement. This Work carries Bridleway M218 over the proposed railway, Work No. 3/1. It appears that the Promoter now proposes to widen the bridge, by 3 metres and more, to make two segregated lanes, one of which would carry the Public Bridleway. Given the little traffic using this trackway, your Petitioners believe the additional land-take, visual impact, and cost are unjustified. Your Petitioners seek an undertaking that Work 3/9A will be constructed to the current width.

Concerns in the Marsh Lane area of Berkswell

103. The section of Marsh Lane to the east of the A452 will be affected by the proposed roundabout on the A452. This lane carries Public Footpath M216, and the Bill would provide powers for a temporary stopping up of the path, but no other changes. Your Petitioners believe the intention is now to elevate the lane as it approaches the A452, which will inconvenience users of the lane, and impair the property Marsh Cottage. Your Petitioners seek an undertaking from the Promoter that a Plan and Section of the planned Work will be published and that your Petitioners will be afforded the opportunity to make further requests for relief from any injurious affects.

104. It is proposed to increase the culverted length of Bayleys Brook by 45 metres. The additional constructional works would be close to the Brook, which is designated a habitat of principal importance. Your Petitioners are concerned that the safeguards in the Code of Construction Practice will provide inadequate protection, and that, after construction, the predicted increase in flood levels will be exceeded because of obstruction of the culverts. The proposed roundabout and connecting roads have been superimposed on the previous scheme without a full evaluation of the hydrology. Your Petitioners seek an undertaking that the diversion of Bayleys Brook near Marsh Lane will be re-evaluated, that a route will be chosen to minimise the culverted length, and that the Promoter will make enduring agreements to ensure the Brook and its culverts are kept clear of obstructions so that wildlife is able to move freely along its course.

105. Residents are concerned that their properties on the Kenilworth Road and in Marsh Lane would be exposed to excessive noise levels from the proposed railway. Your Petitioners seek an undertaking that noise barriers will be provided, on both sides of the line, to ensure that the maximum noise level from the passage of a train will not exceed 60 dBA at a distance of 200 metres from the line, and that properties exposed to a higher noise level will be provided with sound insulation and air-conditioning to reduce the interior maximum noise level from the passage of a train to no more than 45 dBA.

106. The Promoter proposes that a balancing pond more than 170 metres long be situated just behind the cottages and buildings at Marsh Farm. This would be incongruous with the area, expose residents to nuisance from mosquitoes and other water-breeding insects, and present a hazard for young children. Your Petitioners seek an undertaking that the balancing pond will be re-located away from dwellings and that the necessary volume will be divided between smaller ponds distributed along the line.

107. Insufficient screening planting is proposed around the A452 and Mercote Hall Lane Accommodation Overbridges, the roundabout, and the balancing pond. Your
Petitioners seek an undertaking from the Promoter that additional screening plantings will be made, that these plantings will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

108. It is inevitable that construction of the A452 Overbridge, Work No. 3/9, will be disruptive for users of this major trunk route. Delays would be particularly inconvenient and costly when there are popular events at the National Exhibition Centre, or when traffic is diverted from the M42 motorway because of accidents. Your Petitioners believe that delays will originate from lane restrictions at the construction works, or from the quantity of heavy construction vehicles on the road. Considering that the line-of-route itself would be available for moving equipment and materials, your Petitioners seek an undertaking from the Promoter that construction traffic and temporary restrictions and closures will be phased with the prior agreement of the local Highway Authority to prevent major disruption, that heavy construction traffic and temporary restrictions will not take place at peak times or when the traffic flows are abnormally high, and that the nominated undertaker will use other means or routes instead of the A452 for the transport of materials and spoil, other than in exceptional circumstances.

Concerns near Mercote Mill Farm, Berkswell

109. The Promoter proposes to position a major material stock pile to the west of Mercote Mill Farm, together with encampments for migrant workers. The material stock pile would be a major dust source, and would be too close to the agricultural operations and dwellings at Mercote Mill Farm. It is anticipated that these facilities will cause considerable nuisance from dust, dirt, fumes, traffic, and noise for a number of years during the construction period, with adverse affects on the domestic and recreational activities of residents. Your Petitioners seek an undertaking from the Promoter that these facilities will be relocated further away from Mercote Mill Farm, such as in the aggregate extraction areas to the south of the Mercote Hall Lane Accommodation track.

110. Your Petitioners would draw attention to the old stone bridge on Bayleys Brook, to the east of Marsh Farm, that has been omitted from the Promoter's list of cultural heritage assets, and which would be about 50 metres from the proposed railway line. Your Petitioners seek an undertaking from the Promoter that a protection plan will be drawn up for this asset, and that fencing will be used to create a protective zone around it.

111. The Promoter proposes to divert Public Footpath M217 east of Marsh Farm in a loop to the north so it can pass under the Marsh Farm Viaduct where the proposed railway, Work No. 3/1, would cross Bayleys Brook. Your Petitioners contend the diversion would be inconvenient and destroy its amenity. The diversion would add 300 metres to the route, all of it in close proximity to the proposed railway, and take the path user in the opposite direction from where the path is heading. Once on the west side of the proposed railway, the diverted path would go right against the buildings of Marsh Farm. Because the area is low-lying and perpetually water-logged, a board-walk would be needed. Consolidated with stone would harm the hydrology and the amenity. Your Petitioners propose an alternative diversion, and seek an undertaking that Public Footpath M217 will be diverted south-easterly from a point 120 metres south of its crossing of Public Bridleway M218, along the edge of Coronation Spinney, and then in a south-south-westerly direction for some 200 metres to join the diverted Public Footpath M216 and cross Bayleys Brook and Work No. 3/1 as proposed in paragraph 119, with the marshy ground crossed with a board-walk to the bridge over the Brook.
Concerns near Sixteen-Acre Wood, Berkswell

112. The Sixteen-Acre Wood Embankment would directly affect the Berkswell Bogs and the Berkswell Marsh Site of Special Scientific Interest. This section of the proposed railway has been raised by 3 metres or so since the original schemes were published, which has increased the footprint and the volume of sub-surface material that will be compacted and rendered impermeable. This would have a serious effect on the hydrology of the area with impoundment of groundwater. Raising the water table would also increase the risk from pluvial flooding. Your Petitioners consider that the proposed railway would need to be constructed on piled foundations to maintain alignment, and that constructing this section as a shallow viaduct would have little cost impact, so seek an undertaking from the Promoter that the section of Work No. 3/1 from Sixteen-Acre Wood to Marsh Farm will be constructed on a viaduct.

113. It would appear that the Promoter intends not to provide noise barriers along the proposed railway between Park Lane and the A452 Kenilworth Road. This would result in a swathe of farmland and woodland being subject to very high noise levels, also affecting residential properties at Bradnocks Marsh. This whole area is used for outdoor recreation including walking, nature watching, and sport shooting. Your Petitioners seek an undertaking that noise barriers will be provided along the Park Lane Cutting and Sixteen-Acre Wood Embankment, on both sides of the proposed line, to ensure the maximum noise level from the passage of a train will not exceed 60 dBA at a distance of 200 metres from the line, and that properties exposed to a higher noise level will be provided with sound insulation and air-conditioning to reduce the interior maximum noise level from the passage of a train to no more than 45 dBA.

114. North-west of Sixteen-Acre Wood, the line rises above ground level onto an embankment. The wood and surrounding fields are of great landscape value to residents and recreational visitors, and the elevated railway with its noise barriers and overhead line equipment will be very intrusive. Your Petitioners seek an undertaking that trees and shrubs of sufficient height will be planted in front of Work No. 3/1 between Sixteen-Acre Wood and Bayleys Brook, arranged irregularly and in depth to create a natural effect, early in the construction phase following best practice, and that the Promoter will make agreements to ensure on-going care and maintenance.

115. Your Petitioners are troubled by the potential loss of nearly a hectare of trees from Sixteen-Acre Wood, where the landscape and the environment would be damaged significantly by the proposed railway. Your Petitioners seek an undertaking from the Promoter that trees felled within Sixteen-Acre Wood will be replaced on all land not required permanently for the scheme, that substitute woodland will be created in nearby locations to offset the loss of woodland, and that the undertakings sought in paragraphs 239 and 240 will be applied.

116. The Promoter proposes to erect the Bradnock Auto-transformer Station within the boundary of Sixteen-Acre Wood. Your Petitioners believe the proposed screening plantings would be discontinuous and too thin to prevent ruination of the landscape. Your Petitioners seek an undertaking from the Promoter that trees and shrubs will be planted, in depth, all along the west side of the Bradnock Auto-transformer Station, that there will be further tree planting to integrate Sixteen-Acre Wood with the screening around the Auto-transformer Station, that these plantings will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.
117. The Promoter proposes to change the access road to the Bradnocks Marsh Auto-transformer Station to run from Marsh Lane rather than the Bradnocks Marsh roundabout. These fields have been designated in the Solihull Local Plan for aggregate extraction and will be back-filled and returned to agriculture afterwards. Your Petitioners seek an undertaking from the Promoter that the Auto-transformer will be relocated about 400 metres north-west, to a less intrusive location on lower ground adjacent to the viaduct near Marsh Farm, that loss of trees from Sixteen-acre Wood will be minimised, that the Auto-transformer will be fully screened by plantings, that these plantings will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

118. The realigned access road to the Bradnocks Marsh Auto-transformer Station would run around to the north of Marsh Farm, crossing the proposed diverted route of Public Footpaths M216 and M217. Representations have already been made by your Petitioners about the inconvenience and loss of amenity that would be experienced by users of these paths. Your Petitioners believe there should be a full re-evaluation of the diversions proposed in the area of Sixteen-acre Wood to take proper account of amenity, convenience, topography and ground conditions. Your Petitioners seek an undertaking that a pedestrian right of way will be created along the realigned access route to the Bradnocks Marsh Auto-transformer Station from its junction with Bridleway M218, and that there will a full re-examination of the proposed diverted routes of Public Footpaths M216 and M217 giving priority to public amenity and convenience.

119. Public footpath M216 is the ancient pack-way between Berkswell and Hampton-in-Arden, and a part of the Millennium Way. The proposed railway, Work No. 3/1, would sever the path in Sixteen-Acre Wood, which is one of the more delightful features of the route. The Promoter proposes to overcome this severance by providing parallel public footpaths on the two sides of the railway. On the south-west side, between the Footpath M215 Overbridge and Sixteen-Acre Wood, a new footpath would be created, which would join to the north section of Footpath M216 to preserve the pedestrian route between Berkswell and the area around Marsh Farm. On the north-east side of the proposed railway, the south section of Footpath M216 would join to a new path in Sixteen-Acre Wood, which would continue to a junction with Public Footpath M217 to preserve the pedestrian route between Berkswell and the area around Mercote Mill Farm. Unfortunately, both the proposed new sections of path would have reduced convenience and amenity for path users. The new path on the south-west side of the proposed railway would be sandwiched between the railway and the A452 dual-carriageway, with none of the visual attraction of the current path. The new path on the north-east side of the proposed railway would run through very wet terrain for the northern 300 metres of its length. Consolidation of the path would have a harmful affect on the hydrology of the Berkswell Marsh. Your Petitioners argue that resolution of these difficulties should be considered in conjunction with those affecting Footpath M217, as discussed in paragraph 111. Your Petitioners are aware that the Promoter now intends to construct Work No. 3/1 somewhat higher than originally proposed, and that the nominal elevation of the rails above the ground immediately north of Sixteen-Acre Wood would be 4 metres. Your Petitioners seek an undertaking from the Promoter that the section of Public Footpath M216 running west-north-west in Sixteen-Acre Wood will be diverted as proposed to run for some 300 metres alongside the
railway, but only to the north edge of the Wood, that the path will then be diverted generally westwards across Bayleys Brook and beneath the proposed railway in an underpass tunnel at the north edge of the Wood, that the path will then resume a west-north-west heading to cross the open field for some 100 metres to rejoin its existing alignment, and that attention will be given to the levels and surfaces to ensure adequate drainage and convenient walking conditions.

120. Your Petitioners are concerned about the amenity of Public Footpath M216 and its proposed diversion, from its commencement at its junction with Public Footpath M215, north-westerly through Sixteen-Acre Wood, and beyond. The path would be exposed to high noise levels due to proximity to the proposed railway, and the ambience will be impaired by removal of the trees and the intrusion of the railway works. The Promoter is proposing to provide a screening embankment and to plant trees, but your Petitioners seek an undertaking from the Promoter that noise barriers will be provided to limit the maximum noise level on Public Footpath M216 due to the passage of a train to 68 dBA on its original alignment 80 metres from the line and to 75 dBA where it is close to the proposed railway, that the noise barriers will be designed to tone in with the natural environment, that trees will be planted in front of the barriers, arranged irregularly and in depth to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

Concerns in Bradnocks Marsh, Berkswell

121. Your Petitioners believe that the part of Public Footpath M217 on the west side of the proposed railway heading toward the A452 road and Bradnocks Marsh should do so as directly as possible to lessen exposure to the sight and sounds of the proposed railway on one side, and the A452 dual-carriageway on the other. The present termination of M217 on the A452 is not at a place where people reside, or where there is a continuation route, or where vehicles may be parked. It has been suggested that M217 could be diverted along the proposed access road for the Bradnocks Marsh Auto-transformer, but this would take the walker further from a likely objective and provide an even more urbanised environment. Your Petitioners seek an undertaking from the Promoter that Public Footpath M217, on the west side of the proposed railway, will separate from Public Footpath M216 and be diverted one field width to the south-east of its current route, to run in a south-westerly direction along the field edges, to join the A452 road about 80 metres north of the Bradnocks Marsh Lane roundabout, near where there is a vehicle lay-by.

122. Your Petitioners have been told that there would be no requirement for an electrical supply to the Bradnock Auto-transformer Station, but due to the potential severe visual intrusion, your Petitioners seek an undertaking from the Promoter that there will be no above-ground wires or cables to the Auto-transformer Station, and that the future operator of the Auto-transformer Station will be required to place underground any future wires or cables to the Auto-transformer Station.

123. In view of the environmental sensitivity of the surrounding area and the potential escape of noxious materials from the equipment installed in the Bradnock Auto-transformer Station, your Petitioners seek an undertaking from the Promoter that a containment barrier will be provided around the perimeter of the Bradnock Auto-transformer Station to retain any spillage and pollution within the site.
124. Residents of Bradnocks Marsh object to the proposed location of the large material stock piles adjacent to the Bradnocks Marsh Lane roundabout. These would be major dust sources and cause considerable nuisance from dust, dirt, fumes, traffic, and noise for a number of years during the construction period, with adverse affects on the domestic and recreational activities of residents. Given the revision to the access road, they are no longer needed at that location. Your Petitioners seek an undertaking from the Promoter that these facilities will be relocated much further away from the Bradnocks Marsh Lane roundabout.

Concerns in the Berkswell Park area

125. Your Petitioners are concerned by the failure of the Promoter to realise the full extent of the Berkwell Conservation Area, and the lack of consideration given to it when the error was corrected. The Promoter contends that the impacts on the individual elements of the Conservation Area have been evaluated, and that considering the impacts on the Area as a whole makes no material difference. However, the parkland part of the Berkwell estate, as opposed to the purely agricultural part, is a designed entity in which Berkwell Hall, its associated buildings, gardens, trees and the Lake were carefully disposed within a picturesque landscape edged with a perimeter belt of trees, and the Conservation Area now covers parkland shown on the 1886 Ordnance Survey map. Your Petitioners request that there should be a re-evaluation of the impact of the scheme on the setting and quality of the Berkwell Conservation Area as an entity, and that all reasonable further mitigation measures to protect it should be implemented.

126. The Promoter proposes to provide an overbridge, Work No. 3/7A, with a width between parapets of 21.6 metres, to carry Public Footpath M215 across the proposed railway, and to provide access for agricultural traffic. The land on the north-east side of the bridge is designated for mitigation planting of broadleaved semi-natural woodland rather than replacement hedgerow. The railway would be in a cutting, with the surface of the bridge about 2 metres above the ground level. However, the proposed bridge would run square across the railway, rather than follow the alignment of the footpath, which is 30 degrees different. Your Petitioners believe that the unnecessary zig-zags, introduced into the route by the misalignment of the bridge, bring artificiality to the footpath, and detract from its amenity, and seek an undertaking from the Promoter that Work No. 3/7A will be relocated 15 metres north-west to allow Public Footpath M215 to run diagonally across the bridge close to its current straight route.

The Park Lane Cutting threatens to be a major obstacle to the migration of wildlife, and the proposed overbridge for Public Footpath M215 would be the only potential crossing point for some considerable distance. Your Petitioners understand the proposed width is insufficient for the migration of bats across the line, and no consideration has been given to the needs of terrestrial animals. In addition, the Promoter has made no clear statement about the load capacity of the bridge, which is critical to its usefulness for agricultural vehicles. Your Petitioners seek an undertaking from the Promoter that Work No. 3/7A will be constructed to carry the heaviest vehicles specified by the land occupier, that the structure will be made as a green bridge with foliage planted in those areas not required for traffic, that the width will be increased to a minimum of 30 metres, and that a covenant will be made with the land occupier to ensure that any fencing and gating across the bridge will be negotiable by wildlife.

Although Work No. 3/7A would be of limited elevation, its structure and any barriers needed to attenuate noise and air-blast would be a prominent feature in the landscape.
Your Petitioners seek an undertaking from the Promoter that the visual intrusion of Work No. 3/7A will be reduced by attention to the design details, colouring, and finish, so that it harmonises with the rural setting, and that the appearance of the bridge will be subject to the approval of Berkswell Parish Council.

127. Your Petitioners note that the Park Lane Cutting for the proposed railway, Work No. 3/1, varies in depth and would be flanked by a landscaping embankment and areas that the Promoter intends to plant with trees and foliage. However, the noise barriers and overhead line equipment will be intrusive features in the rural landscape. Your Petitioners seek an undertaking from the Promoter that trees and shrubs of sufficient height to mask the proposed railway will be planted on both sides of the Park Lane Cutting, arranged to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

128. Your Petitioners are concerned that the exposed grass slopes of Park Lane Cutting would attract barn owls, and thus become an area in which they would be exterminated by collisions with the trains operating at very high speeds. The vulnerability of this species has been discussed in paragraph 83. Your Petitioners seek an undertaking from the Promoter that specialist advice will be sought on the conservation of barn owls, and that mesh screens or other deterrent devices will be fitted above and beside the railway line in the Park Lane Cutting, as necessary to prevent barn owls and other birds of prey from hunting where they would be vulnerable to collision.

Concerns in Marlowes, Berkswell

129. The Promoter proposes to acquire 5 ha of Marlowes Wood for "the enhancement of existing broadleaved semi-natural woodland". Your Petitioners are concerned that Marlowes Wood, in particular, its heronry, has not been adequately evaluated in the Environmental Statement. The nests are less than 150 metres from the proposed railway, and will experience substantial noise disturbance. The loss of mature trees from Marlowes Wood would have a particularly damaging effect on the environment. Your Petitioners believe the Wood has not been afforded sufficient protection. Your Petitioners seek an undertaking from the Promoter that there will be no disturbance whatsoever to the heronry until a substitute equivalent habitat has been established in a nearby location and all necessary measures have been taken to protect the substitute habitat from disturbance, and that a habitat protection plan agreed with your Petitioners will be in place prior to any works being carried out.

130. It is now proposed not to implement the offset planting that was planned between Marlowes and the A452, but to enhance Marlowes Wood itself. However, your Petitioners do not consider this to be equitable, since Marlowes Wood is already planted. The areas that are being left unplanted appear to have little utility, so your Petitioners seek an undertaking from the Promoter that the original planting scheme be carried out.

131. The Promoter has carried out significant additional surveying of heritage assets, including a further review of historic mapping and other data sources, walk-over surveys, geophysical surveys, and other remote-sensing data. However, your Petitioners are concerned about the lack of work to establish the alignment of the Saxon boundary "maere" in the neighbourhood of Marlowes Wood. The boundary has major cultural significance because of the light it sheds on settlement patterns in the
Saxon period, and it continues to mark parish boundaries and the division between the East- and West Midlands dialects. In one phase, the Mercian boundary followed the Trent-Avon watershed, but the spur ridge in Balsall Common was marked with "meer stones" suggesting a loop in the boundary to exclude the religious site of the Birch Well. The ancient boundary would be expected to comprise a ditch and bank, and your Petitioners are concerned that groundworks for Work No. 3/1 would damage or destroy below-ground archaeological remains. Your Petitioners ask that the precautionary surveys conducted elsewhere are extended using electrical resistivity tomography, magnetometry, ground penetrating radar, and other appropriate techniques, to locate unrecorded cultural remains in the area, and that all potential remains will be thoroughly investigated and properly recorded, and published.

132. Sections of Marlowes Wood are understood to meet the criteria for registration as Ancient Woodland, but are not yet listed as such. Because of the length of time it takes to develop the ecosystem and soil of ancient woodland, any damage to it would be irreparable. Your Petitioners seek an undertaking from the Promoter that the ancient part of Marlowes Wood will be given the highest standard of physical protection against intrusion and damage, that nearby adjacent areas will be planted to create a habitat that might develop over time into something with a similar ambience and environment to that which has been lost, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

133. The Promoter proposes to divert a watercourse that currently runs down from Marlowes into the Berkswell Bogs Site of Special Scientific Interest by Work No. 3/8. The removal of this water from the habitat would change the hydrology with unpredictable environmental damage. Your Petitioners seek an undertaking from the Promoter that a suitable culvert will be provided beneath Work No. 3/1, the proposed railway, to carry the water in the watercourse, and that agreements will be made to ensure the watercourse and culvert are maintained in good order.

Concerns near Park Lane, Berkswell

134. Public Footpath M214 is an important part of the Heart of England Way, running southwest from Berkswell village. The Promoter proposes to carry Footpath M214 across the proposed railway on an overbridge, Work No. 3/5C. The Promoter has reduced the proposed width of the bridge from 20 metres to 2 metres with a vegetated surface. As requested by your Petitioners, the bridge is shown as following the current alignment of the path. However, the railway would be in a deep cutting 80 metres wide. Some path users, particularly lone females, would feel insecure in a confined space of this length. Also, path users would be exposed to noise and air-blast from the trains below. Your Petitioners seek an undertaking from the Promoter that Work No. 3/5C will be constructed with a clear width of at least 5 metres, that noise barriers will be provided on the overbridge to attenuate noise to an acceptable level, and that the design, colouring, and finish of the overbridge will be chosen to harmonise with its rural setting.

135. The Park Lane Cutting would be an obstacle to the migration of wildlife along its whole length, so the proposed overbridge for Public Footpath M214, near to Park Lane, would be an important potential crossing point. Your Petitioners seek an undertaking from the Promoter that Work No. 3/5C will be constructed as a green bridge without obstructive features, and that a covenant will be made with the land occupier to ensure that any fencing and gating across the bridge will be negotiable by wildlife.
136. Users of the M214 Overbridge, Work No. 3/5C, would be exposed to noise and air-blast from the trains in the Park Lane Cutting. Although the cutting would provide some relief, it would be expected that parapets will be needed to attenuate noise to an acceptable level, and that these, as well as safety barriers for vehicular traffic, could diminish the amenity of the landscape. Your Petitioners seek an undertaking from the Promoter that the visual intrusion of Work No. 3/5C will be reduced by attention to the design details, colouring, and finish, so that it harmonises with the rural setting, and that the appearance of the bridge will be subject to the approval of Berkswell Parish Council.

137. The Promoter intends that Park Lane be severed by the proposed railway. Work No. 3/1. As a result, walkers travelling south-west on Public Footpath M214, the Heart of England Way, would have to make a substantial detour to return to Berkswell village along Lavender Hall Lane. At present, walkers enjoy the convenience of using Park Lane, which enables a pleasant circular excursion from Berkswell. Your Petitioners seek an undertaking from the Promoter that a short additional length of Public Right of Way will be created to link Public Footpath M214 to Park Lane on the Berkswell side of the proposed railway.

138. The proposed railway, Work No. 3/1, will cut through the Park Lane Spinney, which is the edge of the Berkswell Conservation Area, and follows the trace of the Berkswell Park Pale. Your Petitioners seek an undertaking from the Promoter that, following construction of the scheme, the Spinney will be replanted with matching species to leave the minimum possible gap in the trees.

139. Your Petitioners noted the intention of the Promoter to build a roundabout, Work No. 3/5B, at the junction of Park Lane and the A452 Kenilworth Road, and then remove it when construction of the scheme was complete. However, the Promoter now proposes to retain it. The Promoter concedes that this will increase vehicle traffic on Park Lane, and have a new moderate adverse significant effect due to traffic-related severance for non-motorised users. Principally, this will affect walkers on the Heart of England Way, Public Footpath M214. However, there is a concern that the traffic impact is underestimated, in that the route will become attractive, in both directions, to longer-distance commuters going toward Coventry. The Promoter does not identify any beneficial effects from retention of the roundabout. There will be a considerable loss of visual amenity due to the roundabout itself, a balancing pond and maintenance access, lighting columns and light pollution, and signage. The change will have an adverse effect on traffic flow, air pollution, carbon emissions, and road safety, since the great majority of vehicles on the A452 will have to negotiate the roundabout to no benefit.

The Promoter proposed in March 2010 that Park Lane would be kept open with a new overbridge, and that Lavender Hall Lane would be severed. Twelve months later, the Promoter was proposing a further new overbridge so that both Lanes could be kept open. Another twelve months, and the Promoter's intentions had changed again, and Park Lane was to be realigned as Work No. 3/5A, and the overbridge on Lavender Hall Lane, Work No. 3/5, had shifted from north of its current alignment to south of it. Your Petitioners believe these plans are likely to increase through-traffic to the detriment of residents and non-motorised users of the Lanes, would compromise the long-term plans to provide a safe pedestrian route along Lavender Hall Lane between Berkswell and Balsall Common, and fail to take account of the further works that will be required when the Rugby and Birmingham railway is upgraded to 4-tracks. Your Petitioners...
suggest a new road could be constructed close to and parallel to the constricted section of the current Lavender Hall Lane, and that public consultation should take place to see whether this would be more useful and acceptable in the long-term. This arrangement would minimise the disruption to residents due to road closures in the construction phase. Your Petitioners seek an undertaking from the Promoter that there will be a comprehensive re-evaluation of the highway changes in the Park Lane/ Lavender Hall Lane area to meet the needs of both the construction and operation phases of HS2, that Work No. 3/5 will be repositioned and include a new overbridge across the Rugby and Birmingham Railway, that the Proposed Work No. 3/5A will not be made, and that the temporary roundabout will either not be constructed or will be removed after construction with full reinstatement of the landscape.

Petitioners’ proposal for a tunnel in Berkswell Park

140. Your Petitioners have set out in the preceding paragraphs numerous harms that would befall residents, businesses, visitors, and the environment were the scheme to be constructed as proposed currently by the Promoter, in the section of Work No. 3/1 between Marsh Farm and Park Lane. Although these harms might be moderated to a degree by the undertakings sought herein from the Promoter, they would be alleviated further by constructing the entire section as a cut-and-cover tunnel. This would entail lowering the proposed railway through this section, the greatest deviation being around 10 metres in the vicinity of Sixteen-Acre Wood. By covering over the deepened cutting, much of the ground surface could be restored to its current form. The tunnel portals would be to the north-west of Sixteen-Acre Wood and south-east of Park Lane, although the severance of the Lane would not be avoided thereby. Your Petitioners seek an undertaking from the Promoter that the numerous harms arising from construction of Work No. 3/1 will be mitigated by lowering the Sixteen-Acre Wood Embankment, deepening the Park Lane Cutting, and covering the railway with a naturalised and restored ground surface for a length of about 1.5 kilometres.

Concerns near Lavender Hall, Berkswell

141. Residents of Balsall Common are deeply concerned by the Promoter’s proposal to locate the Park Lane Cutting Main Compound, a large area of Temporary Workers’ Accommodation, and several material stockpiles, on land on the edge of the village, adjacent to Park Lane, Wootton Green, and the Kenilworth Road. It is anticipated that these facilities will cause considerable nuisance from dust, dirt, fumes, traffic, and noise for many years during the construction period, and that these nuisances will include difficulties arising from the accommodation of a large number of migrant workers with few facilities provided for entertainment during their off-duty periods. It is feared there would be considerable adverse affects on the domestic, business, and recreational activities of residents in a wide area. The stockpiles operations would be too close to the agricultural operations of the Berkswell Estate. Your Petitioners are seeking strengthened security provisions in paragraph 218 of this Petition, and seek also an undertaking from the Promoter that the Park Lane Cutting Main Compound, the temporary workers’ accommodation, and the material stockpiles will be relocated much further away from the residential area of Balsall Common.

142. As proposed by the Promoter, Work No. 3/5 would be a massive structure some 400 metres long and nearly 10 metres high, spanning both the proposed railway and Bayleys Brook, in close proximity to the listed buildings of Lavender Hall Farm. Your Petitioners consider it essential that the architectural design of the Work be carefully
detailed to suit the location and environment, with brickwork chosen to match the vernacular architecture. Your Petitioners seek an undertaking from the Promoter that the architectural design of Work No. 3/5 will sympathetic to its setting and will be subject to the approval of Berkswell Parish Council and local amenity groups.

143. The Promoter has made no provision for a pedestrian footway on the proposed new overbridge, Work No. 3/5, across the proposed railway, despite the humped profile of the road and the increase in traffic due to the combined flows from Park Lane and Lavender Hall Lane. As this is the main pedestrian route between Berkswell and Balsall Common, it is essential that the overbridge is constructed to the highest standards of safety for all users. In addition, at present Public Footpath M196 descends a flight of steps to join Lavender Hall Lane, which is a constricted hollow way at the junction, and the Promoter recognises that this arrangement would have to be rearranged. Your Petitioners seek an undertaking from the Promoter that a footway of adequate standard and width will be provided on the proposed overbridge, that Footpath M196 will have a junction with Work No. 3/5 that is convenient and safe for all path users, and that the requirements of British Standard 5709 will be satisfied in full.

144. The Promoter proposes to make a small diversion of Public Footpath M196 in the yard adjacent to Lavender Hall Lane, but this would introduce an unnecessary zig-zag into the path. Your Petitioners seek an undertaking from the Promoter that the diversion of Footpath M196 will be made in a smooth continuous style to preserve its amenity.

145. The proposed Work No. 3/5 overbridge and associated works would introduce prominent embankments into the valley between Berkswell and Balsall Common with a major change to the visual amenity of the landscape. Your Petitioners seek an undertaking from the Promoter that native species of trees and shrubs will be planted around the works, arranged irregularly and in depth to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that enduring agreements will provide for on-going care and maintenance.

146. The Promoter proposes that both Park Lane and Lavender Hall Lane would be used for construction traffic. This would disrupt communications between Berkswell and the A452 trunk road for private, commercial, and public transport, and would cause damage and disturbance in the constricted section of lane near the listed Lavender Hall buildings. Use of these lanes for construction traffic would also expose adjacent properties to noise, fumes, and dust. Both these lanes are unsuitable for large vehicles because of potential damage to the surfaces, verges, and embankments, and have a statutory width restriction of 2 metres. Given the availability of the line-of-route and other technical means for the carriage of heavy loads, there is no need for these lanes to be used, and the tunnelling of the route requested in paragraph 4 would also remove the requirement. Your Petitioners seek an undertaking from the Promoter that the nominated undertaker will be required not to allow large vehicles to use Park Lane or Lavender Hall Lane during the construction phase.

147. Your Petitioners are concerned that the 12-month closure of Lavender Hall Lane proposed by the Promoter would cause major inconvenience and loss for residents and businesses. The Lane is a principal communication route between Berkswell and the A452 trunk road and Balsall Common. Whilst noting that the need for closure of the Lane would be minimised by the repositioning of Work No. 3/5 requested in paragraph Error! Reference source not found., your Petitioners seek an undertaking from the
Promoter that closure of the Lane will be kept to the absolute minimum, and that disruption will be regulated in accordance with the process requested in paragraph 219.

148. Berkswell Clay Pigeon Club has been based off Lavender Hall Lane since 1964, and currently has over 40 members. Residents in our area would be impacted by the proposed loss of the Club facilities, and the Promoter has given no undertakings as to the provision of a replacement site. Your Petitioners seek an undertaking from the Promoter that a replacement site, comparable to the current one in utility and amenity, will be provided by the Promoter at a nearby location without imposing any financial or administrative burden on the Club.

Concerns near Ram Hall, Berkswell

149. The Promoter has halved the length of the Balsa II Common Viaduct to 250 metres, with the consequent addition of a steeply-constructed section to the Lavender Hall Embankment. The embankment would run across the Bayleys Brook flood plain for 400 metres with an elevation of around 10 metres. The extended embankment would impound groundwater, reduce natural drainage of the surrounding areas, impede wildlife migration, obstruct Public Footpath M191, degrade the landscape amenity, and increase the amount of prey animals on the tracks that will lead to trains hitting and killing barn owls. Your Petitioners seek an undertaking from the Promoter that the Lavender Hall Embankment will be shortened by about 300 metres with a corresponding increase in length of the Balsall Common Viaduct.

150. Your Petitioners note that the Promoter has made no clear statement about the provision of noise barriers and the noise attenuation they would provide on the elevated section of Work No. 3/1 on the Lavender Hall Embankment. There are residential properties nearby on both sides of the proposed railway, and the area is used for recreational activities and agriculture. Also exposed to noise nuisance are the properties along Riddings Hill and Grovefield Crescent, which are elevated above the level of the overhead line equipment. Your Petitioners seek an undertaking from the Promoter that noise barriers will be provided along both sides of the Lavender Hall Embankment to ensure that the maximum noise level from the passage of a train will not exceed 60 dBA at a distance of 200 metres from the line, and that properties exposed to a higher noise level will be provided with sound insulation and air-conditioning to reduce the interior maximum noise level from the passage of a train to no more than 45 dBA.

151. The elevated section of the proposed railway between Truggist Lane and Lavender Hall Lane would be very intrusive in the landscape due its height above the natural ground, and the high noise barriers and overhead line equipment. These would be partly screened from residential properties along Riddings Hill and Grovefield Crescent by the woodland between Hallmeadow Road and the Rugby and Birmingham Railway. Your Petitioners seek an undertaking from the Promoter that the design of the noise barriers will be of a good standard, with variations in finish to give visual interest, tone with the area, and break up the linearity, that Tree Protection Orders or other protective covenants will be placed on the woodland along the north-west side of Hallmeadow Road, that trees and shrubs will be planted along and around the embankment and viaduct columns, arranged irregularly and in depth to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.
152. Your Petitioners are concerned that the Promoter now proposes to block the line of
Public Footpath M191 with an extension to the Lavender Hall Embankment. This
footpath is part of important recreational circuits around Balsall Common through
arable land and the grazing lands of Ram Hall. Your Petitioners seek an undertaking
from the Promoter that an underpass will be provided on the current alignment of
Public Footpath M191 beneath Work No. 3/1, and that the path surface will be raised
and consolidated above the level of the proposed replacement floodplain storage area.

153. The Promoter proposes to introduce a zig-zag into the route of Public Footpath M197,
which would result in a further loss of amenity for users of the path. Your Petitioners
seek an undertaking from the Promoter that the underpass beneath Work No. 3/1 for
Public Footpath M197 will be made on an angle to retain the original line of the route.

154. Part of the reinstated route for Public Footpath M197 is proposed to cross a
replacement floodplain storage area that would be susceptible to flooding. Your
Petitioners seek an undertaking that the reinstated surface of Footpath M197 will be
raised and consolidated above the level of the proposed water level.

155. Your Petitioners object to the proposed location of the large material stock pile
between Ram Hall and Bayleys Brook. This would result in serious economic loss,
because of the occupation of grazing and arable land, and would be a major dust source
too close to the agricultural operations and dwellings at Ram Hall Farm. It would cause
considerable nuisance from dust, dirt, fumes, traffic, and noise for a number of years
during the construction period. Your Petitioners seek an undertaking that the stock pile
will be relocated much further away from Ram Hall and on less valuable land.

156. The proposed elevated section of line raises the risk of contaminated run-off reaching
Bayleys Brook and Berkswell Hall Lake, and possibly Lavender Hall Fishery. Your
Petitioners seek an undertaking from the Promoter that run-off from the tracks will be
filtered to remove pollutants before it enters the natural drainage system.

Concerns in Balsall Common

157. The Lavender Hall Fishery falls within 100 metres of the proposed railway, and even
with highly effective noise barriers, it seems probable that the Fishery will cease to be a
tranquil and attractive venue for recreational angling. The Fishery also provides
refreshments for visitors and walkers, and if forced to close, its loss will affect both
residents and those from further afield. Your Petitioners seek an undertaking from the
Promoter that a replacement facility for recreational fishing, comparable to the present
one in utility and amenity, will be provided by the Promoter at a nearby location,
without imposing any financial or administrative burden on the proprietors of the
Fishery.

158. Residents are deeply concerned by the Promoter’s intention to use the A452 through
the centre of Balsall Common for construction traffic. This road passes through the
centre of the community, and is already over-used by Heavy Goods Vehicles. The speed
limit has recently been reduced from 40 mph to 30 mph, and signal-controlled
pedestrian crossings have been provided because of the traffic flows. A number of
other construction routes identified in the Environmental Statement include roads
considered by your Petitioners as inappropriate for haulage use, including: the B4101
(Waste Lane and Kelsey Lane), the A452, Station Road, Hallmeadow Road, Truggist
Lane, Hodgett’s Lane, Lavender Hall Lane, Park Lane and the car park at Berkswell.
Station. Your Petitioners welcome the amendment tabled in the House of Commons that would allow restrictions on which roads could be used by construction traffic.

These roads, in your Petitioners' view, could not accommodate the levels of construction traffic associated with High Speed 2. It would cause considerable inconvenience and economic loss for residents, local businesses, other road users, and passengers on London Midland rail services. In addition, heavy construction trucks would cause safety hazards, noise, and degrade air quality with fumes and dust, causing health risks. The inconvenience caused by the loss of parking space at the station would be compounded by the traffic increase in Hallmeadow Road, which is already used for over-flow parking for the station. Your Petitioners disagree with the discounting in the Environmental Statement of the effects on Air Quality.

Disruption to all forms of local transport for up to 6 years is unacceptable. The most effective way to reduce the impact of construction work would be to adopt the tunnel requested in paragraph 4. Your Petitioners note the acceptance by the Promoter that the line-of-route could be used as a haul route, but believes that insufficient consideration has been given to other means of conveying materials and equipment. Your Petitioners seek an undertaking from the Promoter that the nominated undertaker will be directed to explore every means for the transport of materials and equipment to reduce the impact on the community and environment.

Your Petitioners seek an undertaking from the Promoter that a route on or parallel to the proposed railway will be made for construction traffic, from the compound at Park Lane, across the current railway line at Truggist Hill, and on toward Burton Green, that the roads listed above will not be used as construction routes, and that local roads will only be used as construction haul routes if and to the extent that use of the dedicated route is impracticable.

159. Your Petitioners are unconvinced by the explanation given and the conclusion drawn about the omission of viewpoints 285.2.002 and 285.2.003 from the original Environmental Statement maps. The omission of these viewpoints from the maps is fundamentally misleading. Your Petitioners consider that the impact on the views from residences along Riddings Hill and from Public Footpath M196 adjacent to residences on Barrett’s Lane will be more significant than the quoted moderate adverse effects. Your Petitioners dispute that the effects will be temporary, as the screening trees, which provide a degree of mitigation, are not within the control of the Promoter. Your Petitioners therefore request that HS2 Ltd be instructed to issue revised proposals for earlier and upgraded screening proposals to mitigate the visual intrusion of the railway during construction and operation, and where there are serious residual unmitigated adverse effects, to agree meaningful offset and long-term compensatory measures with local communities.

Concerns near Berkwell Station

160. The height of the proposed Balsall Common Viaduct on Work No. 3/1 will cause major visual intrusion in the area around Truggist Lane. The Promoter proposes that the elevation of the rails above Truggist Lane would be 9.51 m, to which must be added the height of the noise barriers and overhead line equipment. Your Petitioners seek an undertaking from the Promoter that the visual impact of the viaduct and noise barriers will be reduced by using a through-truss structural design with integral side walls above the tracks rather than a box structure beneath them, and that the height of the rails...
above the Ordnance Datum Newlyn will be reduced from 117.11 metres to 115.61 metres, with no upward deviation.

161. It is anticipated that substantial barriers will be needed to contain the noise radiated by trains on the proposed Balsall Common Viaduct, and these would add to the intrusion of the structure at this critical "gateway" location on the edge of Balsall Common. Your Petitioners seek an undertaking from the Promoter that the architectural design of the Balsall Common Viaduct and its noise barriers and overhead line equipment will be of a good standard, that the design will harmonise with local brick structures and will have variations in finish along the length to give visual interest and break up the linearity, and that the architectural design will be subject to the approval of Berkswell Parish Council and local amenity groups.

162. Your Petitioners note that the Promoter has made no clear statement about the noise attenuation that will be achieved by the noise barriers on the elevated section of Work No. 3/1 comprising the Balsall Common Viaduct, Beechwood Embankment, and Rail Underbridge. There are residential and commercial properties nearby on both sides of the proposed railway along Truggist Lane and Station Road, and the area is used for recreational activities and agriculture. Your Petitioners seek an undertaking from the Promoter that noise barriers will be provided along both sides of the Balsall Common Viaduct and Beechwood Embankment to ensure that the maximum noise level from the passage of a train will not exceed 60 dBA at a distance of 200 metres from the line, and that properties exposed to a higher noise level will be provided with sound insulation and air-conditioning to reduce the interior maximum noise level from the passage of a train to no more than 45 dBA.

Your Petitioners are concerned that outdoor activities at commercial premises near the proposed Balsall Common Viaduct, such as the Royal British Legion and the Railway Inn, would be disrupted by high noise levels from the proposed railway. Your Petitioners seek an undertaking from the Promoter that noise barriers will be provided around areas where there is outdoor seating at the Royal British Legion and the Railway Inn, if requested by the proprietors, and that the provided noise barriers will be adequate to reduce noise levels to meet the recommendations of the World Health organisation for rapid-onset noise.

163. The Promoter proposes to create access to the Kenilworth Greenway from Station Road at Berkswell Station with a permissive bridleway some 500 metres long. This would meet a long-standing need for proper access to the Greenway from the Berkswell end. It is proposed to divert Public Footpath M196 laterally by a small distance onto this new way. However, no plan or section has been made available of the proposed Work. Your Petitioners seek an undertaking from the Promoter that the extension of the Kenilworth Greenway and the diversion of Public Footpath M196 will be specified as Works in the Bill, that a plan and section of each will be published, that the gradients will meet best-practice guidelines, and that the Greenway extension will be designated as a Public Bridleway.

164. While welcoming the provision of access to the Kenilworth Greenway from Station Road, your Petitioners are concerned about the implications on ground-water and flooding. The Promoter seems to indicate a problem may occur once in a century, yet local people have experienced deep flooding on numerous occasions in the area through which the access is proposed. Your Petitioners request that a full examination
of the flooding issue is conducted, and that all necessary measures are included in the scheme to prevent worsening of the flood situation around Berkswell Station and in the fields further upstream along Bayleys Brook.

Concerns in Truggist Lane, Berkswell

165. Residents object to the proposed location of the Rail Underbridge (North) Satellite Compound on Truggist Lane. It is anticipated that the Compound would cause considerable nuisance from dust, dirt, fumes, traffic, and noise for a number of years during the construction period, with adverse affects on the domestic and recreational activities of residents. Your Petitioners seek an undertaking from the Promoter that these facilities will be relocated as far as possible from dwellings and adjacent to the Rigby and Birmingham Railway.

166. Your Petitioners note that the proposed works in the area of Truggist Lane would prevent the access of large agricultural machinery to the land holding of Village Farm, off the Lane. Your Petitioners seek an undertaking from the Promoter that an alternative access route for agricultural machinery to the Village Farm holding will be created and kept open during the construction period, and that the alternative access will be closed afterwards and restored fully to its original form and appearance.

167. The Promoter intends to use Truggist Lane and Hodgetts Lane for construction traffic. Your Petitioners consider this would be unacceptable due to the width and strength of the roads, the fragility of the grass verges and hedges, the closeness of residential properties to the carriageway, and constricted junctions. Truggist Lane has a current width restriction of 2 metres because of these factors. Heavy construction trucks would cause inconvenience and economic loss for residents and local businesses, safety hazards, noise, and degrade air quality with fumes and dust, causing health risks. Your Petitioners seek an undertaking from the Promoter that the nominated undertaker will be required to use other routes and means instead of Truggist Lane and Hodgetts Lane for the transport of construction equipment and materials, other than in exceptional circumstances.

168. Your Petitioners object to the Promoter's proposal for temporary closures of Truggist Lane during the construction period. This would cause major inconvenience and economic loss for residents and local businesses, and would divert traffic onto other local roads with further adverse affects. Your Petitioners seek an undertaking from the Promoter that closure of Truggist Lane will only be sanctioned in exceptional circumstances, and that the process sought in paragraph 219 will be applied.

Concerns in Truggist Hill, Berkswell

169. The Promoter proposes to construct on Work No. 3/1 a Rail Underbridge over the Rugby and Birmingham Railway at Truggist Hill. The structure would have a span of 48 metres and an elevation of 9.69 metres, giving a clear height of 6.91 metres. The Section diagram provided by the Promoter shows that this structure would set the elevation of a long section of the proposed railway, and thus contributes greatly to the visual intrusion and noise radiation. As proposed originally, the elevation would have been 8.2 metres, and it appears that the Promoter now intends to support the railway with a box structure beneath the tracks, and derive no structural strength from the noise barriers, which would be an essential part of the scheme because of the nearness of noise receptors. Your Petitioners contend that the visual mass of the bridge and its noise barriers and overhead line equipment can be reduced by integrating the barriers.
into the structure, and seek an undertaking from the Promoter that the elevation of the Rail Underbridge will be reduced to 8.2 metres with no permitted upward deviation.

170. The proposed railway, Work No. 2/146 and Work No. 3/1, is to be carried on the Beechwood Embankment for some 1.7 kilometres at an elevation of 10 metres and more. Because the embankment is higher than originally proposed, the land-take for the embankment has increased, and substantial loss of agricultural land is evident at Truggist Hill Farm. Other injuries arising from these massive embankments include impoundment of surface and sub-surface water, major loss of landscape amenity, the blockage of wildlife migration routes, and the increased attraction of birds of prey such as barn owls, which become susceptible to being killed by collision with the high-speed trains. The reduction in elevation sought in paragraph 169 would help reduce the impact, but a greater improvement would result from constructing this section on an open viaduct. Viaduct construction would not be a significant additional cost because the railway will be built on piles to maintain alignment. Your Petitioners seek an undertaking from the Promoter that those parts of the Beechwood Embankment that have an elevation to the rails of 4 metres, or more, will be constructed on an open viaduct.

171. The Promoter proposes to provide an underpass for Public Footpath M191 beneath the proposed railway, Work No. 3/1. However, the underpass would run square across beneath the railway, rather than follow the current alignment of the path. This would introduce extra changes of direction in the path, cause inconvenience and loss of amenity for path users, and result in unnecessary changes to the embankment of the Kenilworth Greenway. Your Petitioners seek an undertaking from the Promoter that Public Footpath M191 will be reinstated on its existing alignment after construction of the proposed railway.

172. The Promoter does not propose to provide adequate access for agricultural purposes through the Footpath M191 Underpass at Truggist Hill Farm. Your Petitioners seek an undertaking from the Promoter that the Footpath M191 Underpass beneath Work No. 3/1 will be constructed with sufficient height and width to permit access for agricultural machinery.

Concerns in Beechwood, Berkswell

173. Substantial noise barriers are anticipated on the long Beechwood Embankment because of the nearness of the adjacent bridleway and residential properties. The barriers and overhead line equipment would exacerbate the visual intrusion of the high Beechwood Embankment. Your Petitioners seek an undertaking from the Promoter that the design of the noise barriers will be of a good standard, with variations in finish to give visual interest and break up the linearity, that trees and shrubs will be planted along and around the embankment and viaduct columns, arranged irregularly and in depth to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

174. Even if the Beechwood section of Work No. 3/1 were placed on a viaduct, security fencing could still present an impenetrable barrier for many wild animals. Your Petitioners seek an undertaking from the Promoter that, in the Beechwood Embankment section, at least two wildlife passageways will be provided, which could include the proposed accommodation underpasses if they are un-gated.
175. The Promoter has given no specification for the attenuation performance of the noise barriers on the Beechwood Embankment along to Truggist Lane. This area has residential, commercial, and agricultural premises, and is also used for outdoor recreational activities. Your Petitioners seek an undertaking from the Promoter that noise barriers will be provided on both sides of the Beechwood Embankment to ensure that the maximum noise level from the passage of a train will not exceed 60 dBA at a distance of 200 metres from the line, and that properties exposed to a higher noise level will be provided with sound insulation and air-conditioning to reduce the interior maximum noise level from the passage of a train to no more than 45 dBA.

Your Petitioners do not understand the rationale in a proposed increase in the elevation of the proposed railway south-east of Waste Lane, and is concerned this will increase both operational noise and visual intrusion. This change is not reflected in the deposited Section of Work No. 2/146 because it is within the declared Limits of Deviation. Your Petitioners ask that this change be not made.

176. Your Petitioners object to the proposed location of four large material stock piles and the Beechwood Farm Accommodation Underpass Satellite Compound in a line more than 700 metres long on the west side of the Kenilworth Greenway between Old Waste Lane and Beechwood. These would be major dust sources too close to agricultural operations and dwellings at Beechwood Farm, Truggist Lane, and Old Waste Lane. They would cause considerable nuisance from dust, dirt, fumes, traffic, and noise for a number of years during the construction period. The area taken for the storage of materials and excavated spoil seems in excess of local requirements. Your Petitioners seek an undertaking from the Promoter that the stock piles and Satellite Compound at Beechwood will be relocated much further away from dwellings, and that the stock piles will be reduced in size to meet only immediate local needs.

177. Your Petitioners consider that the two proposed balancing ponds, and their maintenance access tracks, to be located on the far side of the Kenilworth Greenway from Beechwood Farm, will be a significant detriment to the amenity of the landscape. They would be in direct view from the Kenilworth Greenway, yet are totally synthetic in their size, shape, and layout. As proposed by the Promoter, they could not be mistaken for natural features. Your Petitioners seek an undertaking from the Promoter that the two balancing ponds will be replaced with a number of smaller ponds, that they will be situated at a natural elevation in the landscape, that they will be naturalised with wooded margins and separated from the Greenway and adjacent land with shrubs and trees of species that are already growing in the area, and that planting will be done in accordance with best practice guidelines as soon as practicable after construction.

178. It appears there would be significant habitat loss in the area of Beechwood Farm, including an existing pond and other wetland features hosting amphibian and avian species. Your Petitioners seek an undertaking from the Promoter that the drainage system for the proposed railway will be developed as substitute wildlife habitats with appropriate connectivity, and that the recommendations of wildlife groups with local knowledge will be followed.

179. Your Petitioners would query the arrangements proposed by the Promoter for vehicular access from the Kenilworth Greenway to the balancing ponds at Beechwood Farm. There would be a height difference of about 3 metres to negotiate, meaning that the ponds and vehicle tracks will require significant engineering and be very Intrusive in the
landscape. Notwithstanding the reconfiguration of the balancing ponds requested in paragraph 177, it would be less damaging to the environment of the Greenway, and more practicable, to use the proposed underpass beneath the railway, Work No. 3/1, and the existing underpass beneath the Greenway. Your Petitioners seek an undertaking from the Promoter that maintenance access to the drainage system for the proposed railway at Beechwood will be arranged through the Beechwood Farm Accommodation Underpass, rather than from the Kenilworth Greenway.

180. Public Footpath M198 runs north-easterly from Old Waste Lane, near Catchems Corner, to reach Hodgetts Lane at Beechwood after 1175 metres. A linking footpath leads back north-westerly to Carol Green. Footpath M198 forms part of the Millennium Way and Coventry Way, and links to a multiplicity of recreational circuits at each end. Instead of providing a means of crossing the proposed railway, Work No. 2/146, the Promoter proposes to divert the south-west section of the path back to Waste Lane only some 400 metres from the start of the path, then users of the path would walk along the carriageway over the humped bridge, Work No. 2/186, before taking the second proposed diverted section. The proposed diversion of public footpath M198 would result in its prolongation by 575 metres (which constitutes nearly 50% of the total length), a significant loss of visual amenity and walking pleasure, and exposure to traffic hazards. Your Petitioners seek a commitment from the Promoter that Public Footpath M198 will be diverted through the Beechwood Farm Accommodation Underpass, that ramped connections will be provided to the Kenilworth Greenway, and that a right of way will be created around the working area of Beechwood Farm.

Concerns in Waste Lane, Berkswell

181. The Promoter proposes to construct a new bridge, Work No. 2/186 to span both the Kenilworth Greenway and the proposed railway, Work No. 2/146. The bridge would be more than 400 metres long in total, running some 30 metres north of the existing bridge across the Greenway, with an elevation of 9.04 metres above the rails. The cutting for the new railway would be 5 metres deep, and that for the Greenway, about half that. The new bridge will be a prominent structure, affecting both the landscape, and the setting of the listed Crabmill Farmhouse and other properties. To avoid unnecessary damage to the visual amenity, your Petitioners contend that the structure needs to be designed in a style that is sympathetic to the environment. Your Petitioners seek an undertaking from the Promoter that the architectural design of Work No. 2/186 will be of a good standard, that the design and brickwork will harmonise with the vernacular architecture, and that the design will be subject to the approval of Berkswell Parish Council and local amenity groups.

182. The Promoter intends to raise the originally-proposed elevation of the railway, Work No. 2/146, by 4 metres in the vicinity of Crabmill Farm. This is a Grade 2 listed building already seriously impacted by the diversion of Waste Lane and the construction of the new bridge, Work No. 2/186. An increase in construction traffic is also proposed on Waste Lane. The antiquity of this site is acknowledged by the listing of the associated cropmarks. Your Petitioners seek an undertaking from the Promoter that the level of Work No. 2/146 will not be increased, that there will be screening of Work No. 2/186 to reduce its impact on the setting of Crabmill Farm, and that measures will be taken during construction to prevent intrusion onto and damage to the buried heritage assets.

183. Your Petitioners would point out that Waste Lane is designated as the B4101, and is the only route suitable for large vehicles between Balsall Common and Coventry. This road...
is used by the buses that provide an essential service for shops, schools, work, and leisure. The Promoter proposes to have traffic restrictions and to close the road at off-peak times, and overnight, for a twelve-month period. Even if the nominated undertaker were able to adhere to the schedule and the Promoter’s intent, this would still impose unacceptable inconvenience, loss, and risk to residents and other travellers. The complete closures should be avoided if at all possible, and the programme of restrictions needs to be publicised and followed much better than is usually the case. Your Petitioners are seeking local arrangements for the regulation of highway restrictions in paragraphs 218 and 219 of this Petition, and further seek an undertaking from the Promoter that the nominated undertaker will be required to give adequate advance publicity of closures and restrictions on Waste Lane, and that they will not be implemented without local approval.

184. Because the B4101, comprising Kelsey Lane and Waste Lane, is a principal route for private motorists, buses, agricultural traffic, and goods vehicles of all sizes, your Petitioners believe it is unrealistic to use it as a construction haul route. Use of the B4101 by high volumes of construction traffic, over the lengthy construction period, would cause major inconvenience, financial loss, elevated collision risk, and health risks from noise and dust. The line-of-route should be used for transport purposes, and the proposed tunnel, requested in paragraph 4, would eliminate the need for local construction traffic. Your Petitioners seek an undertaking that the nominated undertaker will be required to use other routes and means instead of the B4101 for the transport of construction and materials, other than in exceptional circumstances.

185. The Promoter proposes to replace the existing bridge carrying Waste Lane over the Kenilworth Greenway with an overbridge, Work No. 2/186, spanning both the Greenway and the proposed railway, Work No. 2/146. Because the new bridge will be more than 2 metres higher than the existing one, and with a more gentle profile, pedestrians will be less visible and more exposed to faster vehicles. Your Petitioners are concerned that, without a footway, pedestrians will have an increased risk of injury or death, and that users of Public Footpath M184 joining the carriageway from the southeast will be at special risk. Therefore, your Petitioners seek an undertaking from the Promoter that a footway to current design standards will be provided along Waste Lane over Work No. 2/186, and that the boundary structure at the commencement of Footpath M184 will be set back at least 2 metres from the edge of the carriageway.

186. At present, Public Footpath M184 starts at Waste Lane with a flight of steps down from the bridge that takes the Lane over the Kenilworth Greenway. It was repeatedly pointed out to the Promoter that the path would require diversion because of the intention to provide a new bridge, Work No. 2/186, somewhat further to the north-west than the current bridge. The solution proposed by the Promoter is a diversion of 50 metres with a descent to the Kenilworth Greenway and a re-ascent via the diverted Footpath M198, to the new Waste Lane bridge. All that is required is a ramp up from the existing path, curving around on the embankment to join the new bridge with a difference in level of about 2 metres. The existing flight of steps does not provide satisfactory access for all path users, so your Petitioners seek an undertaking from the Promoter that a ramp, with a gradient of no more than 5%, will be provided up the embankment of Work No. 2/186 to link Footpath M184 to the realigned Waste Lane.

As noted in paragraph 201, the Promoter appears to have allowed too little space for the reinstated Kenilworth Greenway to run between the proposed railway,
Work No. 2/146, and Public Footpath M184. At Little Beanit Farm, the path runs on the south-western crest of the cutting accommodating the former railway, now the Greenway. At present, there is a line of trees on the crest of the old cutting, and it is unclear why any extra planting is required. Your Petitioners seek an undertaking from the Promoter that the trees, currently separating Public Footpath M184 near Waste Lane from the Kenilworth Greenway, will be replaced as required, that no other screening foliage will be planted, and that the footpath will be displaced to the south-west by the minimum necessary to accommodate the reinstated Greenway.

The proposed connection between Public Footpath M184 and the Kenilworth Greenway with a stepped ramp to overcome the height difference of about 2 metres is welcome, but no details are provided. Your Petitioners seek an undertaking from the Promoter that the proposed access ramp between the Kenilworth Greenway and Footpath M184 at Waste Lane will be suitable for all footpath users.

187. Your Petitioners are concerned by the location and extent of the proposed material stock piles either side of Waste Lane by Odnauill End Farm and Little Beanit Farm. These would be major dust sources too close to agricultural operations and dwellings along Waste Lane. They would cause considerable nuisance from dust, dirt, fumes, traffic, and noise for a number of years during the construction period. The area taken for the storage of materials and excavated spoil seems in excess of local requirements. Your Petitioners seek an undertaking from the Promoter that the stock piles at Waste Lane will be relocated much further away from dwellings, and that the stock piles will be reduced in size to meet only immediate local needs.

188. Similarly, your Petitioners are concerned by the location of the proposed B4101 Waste Lane Satellite Compound, west of the Kenilworth Greenway, amongst residential properties on Waste Lane. It is very probable that the construction compound will give rise to major disturbance, inconvenience, and loss to residents of the area, due to dust, dirt, fumes, traffic, noise, and flood-lighting. Your Petitioners would point out that the nearby electrical substation has access to both Hodgetts Lane and the proposed line of the railway, and that a construction compound near there would be less intrusive. Your Petitioners seek an undertaking from the Promoter that the Satellite Compound will be moved much further away from residential properties.

189. Your Petitioners are concerned that noise barriers are not proposed by the Promoter at all locations along proposed railway, Work No. 2/146. Your Petitioners do not agree with the reassessment that Little Beanit Farm no longer warrants insulation from operational noise, particularly as it is badly affected by construction noise and could be insulated for that purpose. Although the railway would be in a cutting, it is critical that there are effective noise barriers, because of the closeness of the proposed railway to the Kenilworth Greenway, and the presence of residential properties along Waste Lane, Old Waste Lane, and Hodgetts Lane. The reinstated Kenilworth Greenway, and its realigned section, Work No. 2/182, must be protected from rapid-onset noise because of its use as a vehicle-free route for walkers, cyclists, and equestrians between Berkswell Station and Kenilworth. Horses that become startled could be a serious safety risk. Your Petitioners seek an undertaking from the Promoter that noise barriers will be provided along the proposed railway between Beechwood and Burton Green to ensure that the maximum noise level from the passage of a train will not exceed 60 dBA at a distance of 200 metres from the line, that properties exposed to a higher noise level will be provided with sound insulation and air-conditioning to reduce the interior noise level.
maximum noise level from the passage of a train to no more than 45 dBA, and that the Promoter will certify that noise levels are safe for the riding and leading of horses.

Your Petitioners are concerned that the changes and corrections mean that different properties on Waste Lane will now be exposed to excessive noise levels from construction activities for at least 12 months. Your Petitioners seek an undertaking from the Promoter that there will be individual assessments of the noise insulation needs of residential properties in the Parish, that construction routes will be re-evaluated to minimise noise at residential properties, and that noise insulation will be provided to the satisfaction of the house-holders.

Concerns in Beanit, Berkswell

190. The Promoter proposes to construct an overbridge, Work No. 2/184, across the railway and the Kenilworth Greenway to provide both agricultural access and to carry Public Footpath M186. The bridge is about 75 metres further north-west than the current bridge in order to separate farm traffic from users of the realigned Kenilworth Greenway, Work No. 2/182. To the north-east of the Greenway, the proposed diverted route of the path makes two unnecessary right-angle turns. In the Promoter's drawings, the bridge is shown as flat, and it is likely to be surfaced with concrete in order to be durable when used by cattle. However, your Petitioners are concerned that the surface may become inconvenient for walkers unless the bridge has an arched or cambered profile to promote drainage. No public right of access is proposed between the Kenilworth Greenway and footpath M186 where they cross.

Your Petitioners seek an undertaking from the Promoter that the zig-zags will be removed from the proposed diverted route of M186 north-east of the Greenway, that a level connection between M186 and Work No. 2/182 will be provided where they are closest to each other on the south-west side of the reinstated Kenilworth Greenway, that a short direct stepped connection will be provided between M186 and Work No. 2/182 immediately adjacent to the bridge Work No. 2/184, that Work No. 2/184 will be constructed to ensure a convenient well-drained surface is kept available for walkers, and that noise barriers will be provided to protect the public and the livestock.

The Promoter has given no details about the appearance of the proposed overbridge, Work No. 2/184. The span across the Greenway would replace two existing structures constructed of Victorian brick and cast iron. These structures are characteristic of the Kenilworth Greenway as a whole, and it is essential for the amenity of the route that any replacement structure is harmonious. Your Petitioners seek an undertaking from the Promoter that Work No. 2/184 will be designed to match the current structural style and will be constructed from, or clad with, original bricks salvaged from the demolition of the existing bridges.

191. It is understood that the Burton Green Auto-transformer Feeder Station is an essential part of the proposed railway scheme, but the Promoter has given no details other than the allocation of a site between Hodgetts Lane, the proposed railway, Work No. 2/146, and the existing electrical substation. The field is currently edged with woodland, through which runs Public Footpath M187. Your Petitioners seek an undertaking from the Promoter that the woodland to the east and south of the site will be safeguarded during the construction phase, that additional trees and shrubs will be planted, in depth, around the Burton Green Auto-transformer Feeder Station, that these plantings
will be done early in the construction phase following best practice guidance, and that there will be enduring agreements to provide on-going care and maintenance.

192. Public Footpath M187 provides an east-west link between Hodgetts Lane at Burton Green and Public Footpath M186, thus making up a recreational circuit around the built-up area. It is also a permissive bridleway and one of the few cycle and equestrian access routes to the Kenilworth Greenway. Despite the issue being raised several times, the Promoter's maps and plans are incorrect and have given the Promoter a false view of the most suitable diversion of the path. The proposed diversion of the footpath would result in it joining Hodgetts Lane just 60 metres from the entry to Public Footpath M182, and as such would be largely without purpose. Users making the walking circuit around the west of Burton Green would need to walk a further 130 metres along Hodgetts Lane, which is used by large vehicles and has no footway. They would therefore experience inconvenience, loss of amenity, and risk.

At the point where the current alignment of Public Footpath M187 crosses the proposed railway, Work No. 2/146, the railway would be in the northern porous portal of the Burton Green Tunnel. Your Petitioners seek an undertaking from the Promoter that Public Footpath M187 east of the Greenway will be upgraded to a statutory Public Bridleway, that the path will be diverted along Work No. 2/182 and join Hodgetts Lane on its current alignment, that the crossing of the proposed railway will be made substantially on the current alignment, that barriers will be provided to protect path users from noise from the trains, and that the Promoter will certify that sound levels and sightlines at all points on the path are safe for the riding and leading of horses.

193. There is concern that the temporary route of the Kenilworth Greenway, Work No. 2/183B, would run for 90 metres alongside Big Poors Wood, which is now considered Ancient Woodland and of high value. With the disruption of normal recreational walking routes by the widespread construction activity, there would be an increased risk of incursion into the wood, and possible damage, during the construction period. Your Petitioners seek an undertaking from the Promoter that Big Poors Wood will be securely fenced and properly protected from incursion, that the nominated undertaker will monitor the security of the fencing and make repairs as needed, and that any complaints of intrusion will be investigated promptly.

194. The scheme proposed by the Promoter would cause considerable damage to Little Poors Wood, which is recognised as potential Ancient Woodland and rated of High Value. Its existence on the tithe map of 1841 is noted, as is the area of ridge and furrow earthworks. A section of the wood with established oaks and other trees, plus ground cover and woodland soil profiles, would be destroyed, to permit construction of the Burton Green Tunnel. The reinstated Kenilworth Greenway, Work No. 2/182, intrudes into the Wood and prevents improved screening measures. There is also a very significant risk of inadvertent damage during construction. There is an intention that the area would be replanted, but your Petitioners seek an undertaking from the Promoter that Work No. 2/182 will be moved away from Little Poors Wood, that the part of Little Poors Wood to be destroyed will be kept to the minimum, that a dense foliage screen will be established to preserve the setting of the Wood from visual intrusion of the Scheme, that the rest of the wood will be securely fenced and properly protected throughout the construction period, that the topsoil from the wood will be conserved and used during reinstatement, that the wood will be replanted with species equivalent to those lost following best practice guidance, that the Promoter will make
enduring agreements to provide on-going care and maintenance of replacement trees, and that there will be rigorous local oversight and enforcement of protection measures for the Wood during the construction phase.

195. The Promoter's designation of Windmill Lane and Hob Lane as a construction route would cause serious harm to residents and road users due to the constricted nature of these Lanes. The road surfaces are not constructed for heavy traffic, and they are narrow with multiple entry points. The Lanes are used by horse-riders for leisure and instructional purposes. Hob Lane has tight bends and gradients, and a dangerous constriction caused by parking at Burton Green Primary School. Use of these roads for construction traffic would cause significant inconvenience, disturbance, environmental damage, dust, and danger. Your Petitioners seek an undertaking from the Promoter that the nominated undertaker will be required to use other routes and means instead of Windmill Lane and Hob Lane for the transport of construction equipment and materials, other than in exceptional circumstances.

196. Your Petitioners note an increase in the amount of land taken for the scheme near the Electrical Sub-station by 1.6 ha. This is to reduce the amount of retaining wall to be constructed. Given that walling will be constructed immediately adjacent either side of this section, your Petitioners believe the saving does not justify the loss of agricultural land, and seeks an undertaking from the Promoter that this proposal will be withdrawn.

197. The vulnerability of barn owls to collisions with the proposed trains has been discussed in paragraph 83. Your Petitioners are concerned that the exposed grass slopes of the low Waste Lane Embankment and the Burton Green Retaining Structure on Work No. 2/146 would be between natural habitats and attractive to small mammals, which would be hunted by barn owls and other birds of prey. Your Petitioners seek an undertaking from the Promoter that specialist advice will be sought on the conservation of barn owls, and that deterrent devices will be fitted above and beside the railway line, from Waste Lane to the electrical substation, as necessary to prevent barn owls and other birds of prey from hunting where they would be vulnerable to collision.

Concerns about the Kenilworth Greenway

198. The Kenilworth Greenway is of great value to local people and those from further afield. It is a major recreational resource for walkers, cyclists, horse riders, joggers, naturalists and photographers. The Promoter proposes to use the Greenway for heavy vehicles during construction, and then attempt to reinstate it to its original condition. However, your Petitioners fear irreparable damage to the structure, drainage system, culverts, embankments, flora, and fauna, causing major inconvenience and loss of amenity. The Promoter has responded by saying a full structural survey will be undertaken, followed by appropriate strengthening (Oral evidence taken before the High Speed Rail Committee on 1 December 2014 (evening) paragraph 385). A temporary parallel haul route should be used instead. Your Petitioners seek an undertaking that the Kenilworth Greenway will not be used for construction traffic other than in exceptional circumstances, and that a clear specification for restoration works and replanting will be agreed with the Greenway Trust and local councils and amenity groups.

199. There is considerable concern that the temporary use of the Kenilworth Greenway by construction traffic during the construction phase could lead to the unnecessary felling of trees along the Greenway. Because of the length of time taken for trees to reach maturity, there would be significant loss of landscape amenity if trees are felled or
damaged. Your Petitioners seek an undertaking from the Promoter that the felling of mature trees along the Kenilworth Greenway will only take place if essential for the passage of equipment, that the root systems of all the Greenway trees will be effectively protected throughout the construction operations, that damaged or felled trees will be replaced early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance of replacement trees.

200. The Promoter intends to provide a temporary cycle- and bridle-way, Work No. 2/183B, as a substitute for the Kenilworth Greenway during construction of the scheme. This provision is welcomed by your Petitioners, but would draw attention to a loop in the proposed way that causes it to run alongside the Cromwell Lane Satellite Compound. This would add unnecessary distance, and expose Greenway users to noise, poor amenity, and dust. Your Petitioners seek an amendment so Work No. 2/183B runs across the field south-west of the Cromwell Lane Satellite Compound in a continuous line, rather than making four changes of direction to follow the field boundary.

The temporary cycle- and bridle-way, Work No. 2/183B would run along Waste Lane for about 40 metres. Scant details are provided in the Environmental Statement, and your Petitioners are concerned about the safety of users, especially as the Lane is designated as a construction route and the location is immediately adjacent to construction activities for Work No. 2/186. Your Petitioners seek an undertaking from the Promoter that the temporary route of the temporary cycle- and bridle-way along Waste Lane will be segregated from vehicle traffic to ensure the safety of users.

201. Your Petitioners believe that the Promoter has allowed too little space for a noise barrier and the planting of foliage between the reinstated Kenilworth Greenway and the proposed railway, Work No. 2/146, in the section near Little Beanit Farm, south-east of Waste Lane. The Promoter proposes that the level of the railway would be some 2.5 metres below the level of the reinstated Kenilworth Greenway. No screening foliage is shown on the Promoter’s drawings, and some of the Greenway surface is taken up with a drainage channel. At present, drainage is provided by underground pipework. Public Footpath M184 runs parallel to the Greenway at this point and the proposed stepped ramp between the Greenway and M184 will take more space. Your Petitioners seek an undertaking from the Promoter that, adjacent to Little Beanit Farm, the reinstated Kenilworth Greenway will be displaced to the south-west as necessary to provide space for an effective noise barrier and planted screening foliage.

202. An underpass beneath Cromwell Lane is to be provided for the replacement Kenilworth Greenway, Work No. 2/182, as requested by your Petitioners. However, the Promoter does not appear to have given consideration to acoustic treatment of the underpass, to prevent resonance and noise transmission that might startle horses being ridden or led through. Your Petitioners seek an undertaking from the Promoter that the underpass will be suitable in size and acoustics for horse-riders, cyclists, and pedestrians, and that it will be certified by the Promoter as safe for the riding and leading of horses.

203. It is of great importance to the community that the Kenilworth Greenway and the rerouted substitute section, Work No. 2/182, are reinstated in a way that restores and mimics the original ambience. The essential character of the Greenway is the product of decades of naturalisation of the old man-made rail-bed. The Promoter has given no clear specification for the foliage to be planted along the whole length of the Greenway.
and its substitute. It is imperative that the noise barriers are screened from view, and
your Petitioners seek an undertaking from the Promoter that the original part of the
Greenway and Work No. 2/182 will be planted on both sides with native tree species to
reproduce the original ambience, that the trees and shrubs will be of sufficient height
and density to screen the noise barriers, that additional land will be allocated for this
purpose if required, that this planting will be done early in the construction phase
following best practice guidance, and that the Promoter will make enduring agreements
to provide on-going care and maintenance.

204. The Promoter proposes to replace more than 1.5 kilometres of the Kenilworth
Greenway with a substitute route, Work No. 2/182. The Promoter’s scheme envisages a
section of the reinstated Greenway being on top of the Burton Green Tunnel,
necessitating ramps up and down from the existing cutting, at the north and south
ends. The gradients are said to be 5%, but the Highway Design Manual gives a
preferred maximum gradient for mixed use of 3%.

Your Petitioners believe it is feasible to make the route to this gradient, and that 5% is
unnecessary, unsafe, and unsuitable for mixed use. The speeds of cyclists could be
problematic for other users and unsafe in winter. There is also an icing risk, and the
probability of extra wear to the surface. Your Petitioners seek an undertaking from the
Promoter that the maximum gradient of the reinstated Kenilworth Greenway be
reduced to 3%, particularly in the southern section where the ramp is of considerable
length, and that future operators of the proposed railway will pay the owners of the
Greenway any costs involved in keeping the ramps in good condition and free of ice.

Concerns in Burton Green, Warwickshire

205. Your Petitioners are also concerned about the inconvenience and loss that would be
incurred by our residents as a result of the disruption of traffic on Cromwell Lane. This
road is used heavily by private motorists, goods vehicles, cyclists, horse-riders, and
public transport. Your Petitioners seek an undertaking from the Promoter that they will
require the nominated undertaker to respect the wishes of the local community with
regard to the timing and nature of traffic restrictions.

206. Your Petitioners are concerned that groundworks for the proposed Burton Green
Tunnel and Retaining Structure on Work No. 2/146 would damage or destroy traces of
the ancient "burh" whose presence is implied by the name of the locality.
Topographically, Burton Green is an outpost of high ground about 130 metres above
Ordnance Datum Newlyn, and the proposed railway would cut through the centre of it.
Your Petitioners seek an undertaking from the Promoter that full preliminary surveys
will be undertaken by electrical resistivity tomography, magnetometry, ground
penetrating radar, and other appropriate techniques prior to any soil disturbance, that
all anomalies detected will be thoroughly investigated by excavation, and that all
archaeological investigations will be properly conducted, recorded, and published.

207. The proposed railway will cause major severance for wildlife, due to the long stretches
of embankments and cuttings, but also due to the security fencing along most of the
planned route. The Burton Green Tunnel would provide some relief to this by allowing
the migration of local resident species such as muntjac and badger. However, as
proposed by the Promoter, the cut and cover tunnel is far too short and too close to
residential properties to be very effective. Your Petitioners seek an undertaking from
the Promoter that the Burton Green Tunnel will be extended by at least 200 metres north-westwards in order to provide wildlife movement through open terrain.

Concerns about loss of community identity

208. Your Petitioners are concerned about the casual allocation of wrong and uncharacteristic names to features of the proposed railway. Erasure of the identity of a locality is injurious to community cohesion and the amenity of the area. Your Petitioners are distressed that the Promoter persists in calling the structure proposed to carry the proposed railway over the Rugby and Birmingham Line at Balsall Common "the Carol Green Underbridge", despite Carol Green being a kilometre away. This structure is a part of Work No. 3/1. Your Petitioners seek an undertaking from the Promoter that the name will be changed to something reflective of the locality, and that this name will be used in all future documentation, notices, and signs.

209. Your Petitioners believe that reputational loss and damage to the area would arise from the naming of the proposed intermediate station at Middle Bickenhill "the Birmingham Interchange", even though it is 15 km from Birmingham, well outside the Birmingham administrative area, and has no apparent interchange function. The proposed station is part of Work No. 3/1. Your Petitioners seek an undertaking from the Promoter that the name will be changed to Bickenhill, Stonebridge or something else with a local resonance, and that this name will be used in all future documentation, notices, and signs. This would help avoid confusion, as well as bringing a community benefit.

General concerns about Environmental Health in the construction phase

210. Your Petitioners note that the Bill and the Code of Construction Practice would confer powers on the Secretary of State and Local Planning Authorities for the summary approval of a wide range of matters relating to the construction of the proposed scheme. There is extensive concern amongst residents that there is no requirement for the nominated undertaker and its contractors to enquire about the effects of the proposed Works on local people, and to stop, delay, or amend activities to reduce injurious effects to the lowest practicable level through a process of negotiation with local councils and amenity groups. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice to ensure that the nominated undertaker and its contractors will engage with local councils and amenity groups, will attend meetings, will make available the general work plan, and will give the relevant parish or town council and amenity groups a month's notice of works before their commencement, to allow time for representations to be made.

211. Your Petitioners believe that the arrangement proposed by the Promoter in the Code of Construction Practice, whereby the nominated undertaker would be responsible for both the delivery and the enforcement of proper conduct by the nominated undertaker's contractors and sub-contractors, implies a conflict of interest and is inadequate. Weakness and delay in the enforcement of matters relating to Environmental Health would cause inconvenience, injury, and loss to the residents of our area. Example issues in this category are dust, artificial lighting, noise, mud on roads, screening of worksites, location of construction compounds, designation of routes for construction traffic, traffic congestion, and hours of work. Residents have been dissatisfied with the regulation and enforcement exerted by our local authority, Solihull Metropolitan Borough Council, where quite minor works have been allowed to cause unnecessary inconvenience and disturbance, and residents have been told "You'll
get used to it". As a result, your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would empower local parish and town councils to employ jointly an Environmental Health Officer, for the duration of the works, with the power to suspend works, should agreed control measures be breached, and until more rigorous measures have been put in place, and your Petitioners seek an undertaking from the Promoter that all costs arising from the employment of such an Environmental Health Officer will be met by the nominated undertaker.

212. It is of great importance to our residents that the Works permitted by the Bill are carried out with the best possible regard for their rights and well-being. A major consideration is the avoidance of disturbance at unsocial times of day. Your Petitioners recognise that construction work is inherently disturbing, and that some activities need to be continued outside core hours. However, the measures proposed by the Promoter are far too loose, and your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would restrict start-up and close-down periods to 30 minutes to prevent abuse of the system, that would require local approval through the engagement process requested in paragraph 210 for activities outside core hours likely to cause undue disturbance through noise, vibration, traffic, dust, fumes, or lighting, that such work would be justified by the use of major plant or the need to avoid day-time disruption, that detailed applications for such works would be made 14 days in advance, and that Bank Holidays would be treated the same as Sundays.

213. Your Petitioners are concerned by the potential intrusion, disruption, and loss to property that could arise from inadequate site management and inappropriate choice of work sites, material dumps, and traffic routes. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require work areas to be set up, maintained, operated, cleared, and reinstated to the satisfaction of the local community through the engagement process requested in paragraph 210, with regard especially to the mitigation of visual intrusion, protection and insulation from noise and vibration, and the positioning of vehicle routes.

214. Dust and emissions generated by the proposed construction works could injure the amenity, health, and property of residents, farmers, and businesses (particularly those with outdoor displays). Your Petitioners are aware of the damage caused by dust problems during the construction of the Channel Tunnel Rail Link, and have drawn attention elsewhere in this petition to the inappropriate location of dust sources proposed by the Promoter. During construction, air quality will be degraded by NO\textsubscript{2} and PM\textsubscript{10} emissions, and by dust generated during earthmoving or blown from stockpiles. Airborne particles derived from soil, rock, cement, and the cutting of steel, plastic, and wood, constitute a real hazard to health. Your Petitioners seek amendments to the Bill and Code of Construction Practice that would require the regulation and protection of air quality through the engagement process requested in paragraph 210, that would establish objective control measures for enforcement by the Environmental Health Officers, that would apply the requirements in the NPPF Technical Guidance for Minerals, issued by the Department for Communities and Local Government in March 2012, and that would ensure construction machinery conforms to the latest standards.

215. Intrusive noise from the construction works would be very disturbing for residents, businesses, and livestock. Your Petitioners seek the deletion of Schedule 26 and amendments to the Bill and Code of Construction Practice that would enable the application of Section 61 of the Control of Pollution Act 1974 with the approval of
intrusive activities through the engagement process requested in paragraph 210, the provision by the nominated undertaker of noise insulation for adjacent properties when continuous-equivalent noise of 50 dBA and above are predicted, and the application of "Best Practicable Means" criteria when considering methods of noise mitigation.

216. Your Petitioners are concerned that during the construction phase, high-intensity lighting would be used during nocturnal working, and that this would be very disruptive for residents, particularly when used on elevated sections of the route. Your Petitioners seek amendments to the Code of Construction Practice that would require strict guidelines and control criteria, as well as the regulation of working outside core hours as requested in paragraph 212.

217. The prospective influx of migrant construction workers has raised concerns about the maintenance of law and order, as the existing police force may prove to be insufficient. Your Petitioners seek amendments to the Code of Construction Practice that would require the nominated undertaker and its contractors to be responsible for providing security staff to maintain good order in and around camp sites and work sites to the satisfaction of the local council and local amenity groups.

**General concerns about Highways in the construction phase**

218. Our residents and local businesses are likely to suffer inconvenience and financial loss from the closure and diversion of roads, bridleways, and footpaths, and from the additional and diverted traffic on the routes that remain open. This will affect public transport, commuters, delivery vehicles, utility vehicles, emergency services, farm traffic, and recreation, with a particular impact on businesses that use the roads as part of their activities, such as taxis and hire cars, driver training, and horse riding establishments. Your Petitioners seek amendments to the Code of Construction Practice that would require the nominated undertaker and its contractors to give a month's advance notification of proposed heavy construction traffic flows, route closures, traffic control measures, and diversions, through the community engagement process requested in paragraph 210, together with publicity in a comprehensible form.

219. The disruption, inconvenience and loss discussed in paragraph 218 has not been estimated fully by the Promoter, as assessments have been restricted to peak hours, though disruption will occur throughout the day. Your Petitioners seek amendments to the Code of Construction Practice that would require the nominated undertaker and its contractors to apply for the closure or diversion of carriageways, bridleways, and footpaths through the community engagement process requested in paragraph 210, that would give the relevant parish or town council the right to refuse permission for route closures and diversions, that would empower the relevant parish or town council to regulate the time of day when heavy traffic flows and traffic control measures would be allowed, and that would require a clear procedure to ensure closures, diversions, and restrictions are properly coordinated and well signed.

**General concerns about Agriculture and Ecology in the construction phase**

220. As with matters of Environmental Health considered in paragraph 211, your Petitioners believe that the proposals in the Code of Construction Practice for enforcement of measures to protect agriculture, ecology, and the natural environment, during the construction of the scheme, are inadequate. Example issues in this category are the handling of reusable spoil, topsoil storage, compaction, weed propagation, dust and contamination in an agricultural context, disturbance of livestock, trees, hedges, root
systems, habitats, fauna, flora, pollution, spillage, drainage, and de-watering. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would empower local parish and town councils to employ jointly an Ecological Officer, for the duration of the works, with the power to suspend works, should agreed control measures be breached, and until more rigorous measures have been put in place, and your Petitioners seek an undertaking from the Promoter that all costs arising from the employment of such an Ecological Officer will be met by the nominated undertaker.

221. It is noted that the protection of trees during construction works requires specialist knowledge. Your Petitioners assert that inadequate measures are specified in the Code of Construction Practice, and so seek amendments to the Code of Construction Practice that would require the nominated undertaker and its contractors to work through the community engagement process requested in paragraph 210 and to respond to advice from the Local Authority Tree Officers and the local Tree Wardens.

222. Your Petitioners are concerned about potential damage to the environment from the escape of industrial gasses from plant and vehicles during the construction phase. Your Petitioners seek amendments to the Code of Construction Practice that would require the application of strict control measures to the latest standards.

223. Your Petitioners would draw attention to the substantial risk to the environment from spillages of oil, fuel, hydraulic fluids, other materials from vehicles, machinery, and fixed installations, and to the harm that would be caused by contaminated run-off into the water system and by residues left on land that is returned to agriculture. Your Petitioners seek amendments to the Code of Construction Practice that would require the application of strict control measures to the latest standards.

224. The propagation of weeds by the movement of vehicles and the failure to control seed formation would cause inconvenience and loss to agricultural business and residential gardeners. Your Petitioners seek amendments to the Bill and the Code of Construction Practice that would require the nominated undertaker to provide training to contractors and sub-contractors, to carry out inspections, to destroy identified weeds, to grant access to work sites for those with a legitimate concern, and to ensure this topic is properly considered in the engagement process requested in paragraph 210.

225. Your Petitioners consider that the significant lengths of embankments and deep cuttings in the proposed Works will have a serious impact on drainage and ground water, with implications on residential, commercial, and agricultural land use. As an example, the recent overbridge at Tile Hill station is believed to have contributed to the increased flooding in the area of Duggins Lane, Berkswell. The geology in our area includes surface layers of limited permeability with more porous sub-strata, so that subsurface flows have a material effect on the depth of water in surface watercourses. De-watering or changes to permeability could increase seasonal flow fluctuations. The Promoter has not set out a procedure for reviewing hydrological issues during the groundworks. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require the on-site identification of the exposed strata and hydraulic modelling to determine appropriate mitigation, and that would require the Promoter to establish a committee to review hydrological findings on a monthly basis and ensure corrective actions are carried out.
General concerns about Archaeology and Heritage in the construction phase

226. As with matters of Environmental Health considered in paragraph 211, your Petitioners believe that the proposals in the Code of Construction Practice to protect archaeological remains and cultural heritage assets, during the construction phase, are inadequate. Example issues in this category are known or postulated assets, incidental discoveries, prospective surveys, safeguarding, documentation, preservation, and protection against looting. It is understood that about half the archaeological sites excavated during the construction of the Channel Tunnel Rail Link were unidentified prior to the project. Our Local Authority, Solihull Metropolitan Borough Council, has no staff proficient in this speciality. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would empower local parish and town councils to employ jointly an Archaeological Officer, with the power to suspend works, should agreed control measures be breached, and until more rigorous measures have been put in place, and your Petitioners seek an undertaking that all costs arising from the employment of such an Officer will be met by the nominated undertaker.

227. The large-scale earthmoving required for the construction of the proposed railway would pose a major threat to archaeological traces that lie undetected. Your Petitioners seek amendments to the Code of Construction Practice that would require the principles of PPS 5 (2010) to be applied to sites that could be in any way affected by the Works, that would ensure that, prior to disturbance, areas of known crop-marks would be thoroughly investigated for dating evidence, including artefacts and paleoethnobotanical deposits, that trial excavations, field walking, and further documentary research would be done where appropriate, and that the nominated undertaker and its contractors would coordinate activities with a responsible archaeologist such as the Archaeological Officer requested in paragraph 226.

228. With the route alignment currently proposed by the Promoter, the setting of many listed buildings will be affected, with the line coming within 100 metres of Lavender Hall Farmhouse and Barn and Pasture Farm, 150 metres of Crabmill Farm, 250 metres of Park Farm, 350 metres of Diddington Farmhouse, and 400 metres of Diddington Hall. Also, known cultural heritage sites would be directly affected, while suspected extensive boundary and defensive features lie on the proposed route. Your Petitioners seek an undertaking from the Promoter that the detailed alignment of the proposed railway will be re-evaluated giving greater priority to archaeological and heritage matters, that individual protection plans will be prepared and implemented and protection zones provided around all assets during construction, and that all remains will be fully recorded, conserved, and consolidated.

Blockage of radio signals

229. Your Petitioners are concerned that the Promoter has failed to assess the potential blockage of electromagnetic transmissions by the proposed structures, and has failed to distinguish the issue from that of interference, which is regulated by Ofcom. Much of the railway and its overhead line equipment would be elevated above the natural terrain by 10 metres, 20 metres, and more. Examples include the Pool Wood Embankment, the A452 Overbridge, the Mercote Hall Lane Accommodation Overbridge, the Balsall Common Viaduct, and adjacent embanked sections of Work No. 3/1. In addition, the high speed trains envisaged by the Scheme will consume several times the 5 MW peak power consumed by current trains, so there will be very heavy currents in the electrical supply system. The UHF band, used for cellular telephony, television,
emergency services, and satellite navigation, is susceptible to blockage and multi-path
distortion. Residents, businesses, and service providers will suffer inconvenience,
hazard, and expense if there is any impairment of signal strength or quality, which could
compromise the response time from emergency services. Your Petitioners seek an
undertaking from the Promoter that a prompt and proper investigation of the potential
blockage of radio signals will be carried out, that all necessary powers and funding will
be provided for installing additional antennas or other means to restore full service, and
that these additional devices will be positioned to minimise visual intrusion.

Other general concerns in the construction phase

230. Your Petitioners are concerned about the lack of detailed proposals for security fencing
of the line, and the potential impacts on the landscape. It is understood that for
maximum effectiveness, the noise barriers would be close to the line, and cable troughs
and access tracks would result in a typical trace width, across fences, of 22 metres. It is
anticipated that, were the noise barriers to provide insufficient security, steel palisade
fencing will be fitted along the base of embankments, around viaduct columns, and on
the crest of cuttings. Your Petitioners seek an undertaking from the Promoter that any
security fences will be coloured to tone into the environment, such as olive or yellow­
green in rural settings and chocolate brown or terracotta in built-up situations, and that
the advice and wishes of the relevant parish or town council will be followed.

231. The Code of Construction Practice includes a Small Claims Procedure, but local councils
are excluded from using it. In view of the land and property owned by parish and town
councils in our area, your Petitioners seek an amendment to the Code of Construction
Practice that would include parish and town councils in the Small Claims Procedure.

232. Your Petitioners consider that the analysis of the potential impairment of existing
businesses in our area, during both construction and operation of the proposed
scheme, is inadequate. The losses suffered by established businesses in, and related to,
agriculture has not been quantified. There is a wide variety of full-time and casual jobs
in the diversified rural economy that will be jeopardised by disruption, environmental
impacts, and customers avoiding an area beset with large-scale works. Many non­
aricultural businesses will be damaged by the extended loss of their rural ambience.
Your Petitioners expect few construction jobs to go to local people, based on
experience with similar projects. Your Petitioners seek an undertaking from the
Promoter that, before any preparation for the Works is started, a detailed breakdown
of prospective job losses and reduction in available working hours will be made,
analysed by employer, locality, and occupation, taking into account factors such as
disruption, access difficulties, relocation, loss of premises, and customer alienation.

233. The business impairment referred to in paragraph 232 could, in some cases, constitute a
Material Change of Circumstances for the purpose of assessing the rateable value of a
non-residential hereditament. While a reduction in Business Rate would provide some
relief to affected businesses, this will reduce the income received by Solihull
Metropolitan Borough Council. Your Petitioners seek an amendment to the Bill that
would empower and pay Solihull Metropolitan Borough Council to employ a Rating
Valuation Officer to assist the quantification of business impairment and to expedite the
processing of claims for revaluation of rateable values, and that the Council will receive
full compensation for any reduction in income from Business Rates due to the railway.
234. Your Petitioners are troubled by the impact the proposed railway would have on access to coal reserves. The Warwickshire Thick Coal is a seam some 6 metres thick at a depth of about 1 kilometre. Whilst our local colliery at Daw Mill has ceased operating, this would not preclude future mining using innovative means such as Underground Coal Gasification, which could be combined with Carbon Sequestration. Given the desire for energy security, it is unfortunate that the proposed railway would deny access to this resource, with a consequential loss of potential employment in our area. Your Petitioners seek an undertaking from the Promoter that a full independent appraisal will be made before construction of the railway, to assess the true loss to the nation from the sterilization of these reserves, and to advise how the loss could be mitigated.

Restoration of the agricultural landscape after construction of the scheme

235. Your Petitioners wish to draw attention to the large-scale temporary use of agricultural land during the construction phase of the proposed works. The Promoter proposes to occupy very substantial areas of agricultural and forestry land for spoil heaps, work camps, and other purposes at Little Beaniit Farm, a holding adjacent to Waste Lane west of the Greenway, Beechwood Farm, a holding between the Greenway and Old Waste Lane, Truggist Hill Farm, Ram Hall Farm, a holding to the west of Park Lane, New Mercot/ Mercote Mill Farm, forestry operations in Park Lane Spinney and Sixteen-Acre Wood, Marsh Farm, Hornbrook Farm, Marsh Lane Nature Reserve (Packington Estate), Mouldings Green Farm, Home Farm (Hampton-in-Arden), Firs Farm, Home Farm (Packington), Park Farm, a holding west of Middle Bickenhill Lane, and Common Farm. Your Petitioners are concerned that the soil in these areas would be susceptible to damage by static compaction, by pollution, and during handling, and that the field drains will be broken. Your Petitioners seek an undertaking from the Promoter that every care will be taken to prevent these damages, that restoration will be done to a high standard and will comply with the Standard for Farmland Remediation, that field drains will be restored, and that land occupiers will be fully compensated for any failure to do this work correctly and promptly.

236. Your Petitioners are concerned that in the assessment made by the Promoter of the effect of the proposed scheme on the landscape, no account was taken of the consequential effects of the economic damage done to agricultural businesses during the construction phase. Your Petitioners anticipate that many agricultural businesses would cease to function during the construction period, and that afterwards, the reduction in land area and fragmentation will reduce the economic viability of those that continue. In consequence, there would be pressure for inappropriate development such as solar arrays, storage, builders' yards, and light industrial workshops, that would reduce the openness and visual amenity of the Greenbelt in the Meriden Gap. Your Petitioners are concerned that there is a correction to the Environmental Statement showing that the land loss for holding CFA18/26 is not 22% but 78%, and consider that the viability of the holding will be damaged irreparably. Your Petitioners seek an undertaking from the Promoter that an agency will be created, together with a compensation scheme, to stimulate the amalgamation of uneconomic agricultural land fragments into viable holdings.

237. Your Petitioners are concerned about the affects of section 47 of the Bill. As worded, this section would provide an unqualified power for the compulsory purchase of land for "regeneration or development". This provision would override local planning procedures for large areas of land adjacent to the proposed railway, to the detriment of

Petition of the Heart of England High Speed Railway Action Group - Page 55
the amenity and property of current residents and landowners. Your Petitioners believe the powers of compulsory purchase in the Town and Country Planning Act 1990 are adequate, and seek the deletion of section 47 from the Bill.

238. Your Petitioners are also concerned that the temporary use of land during the construction phase of the scheme would be used as an argument to circumvent Greenbelt and spatial planning guidance and plans. Your Petitioners seek amendments to the Bill to disallow temporary use of the land during construction of the scheme as a material consideration in the determination of future Local Plans, Greenbelt boundaries, and planning applications, and to prohibit any change of use from agriculture for a period of 5 years after the land has been restored and returned to agricultural production.

*Restoration of ecology after construction of the scheme*

239. Your Petitioners note that a wide range of measures for ecological compensation has been offered by the Promoter, but there is a lack of firm action plans and clear standards. Your Petitioners seek an undertaking from the Promoter that the implementation and monitoring of bio-system replacement will be done to a high uniform standard throughout the proposed scheme, that the Promoter will follow the guidance in the National Planning Policy Framework and seek to improve the natural environment, that there will be compliance with the European Environmental Impact Assessment criteria, the UK Chartered Institute of Ecology and Environmental Management standards, and British Standard BS 8545 "Trees: from nursery to independence in the landscape", and that the creation of alternative habitats and translocation of species will be commenced as soon as reasonably practicable.

240. Trees are critical features in the landscape and need long-term planning and care due to their slow growth rate. Your Petitioners seek an undertaking from the Promoter that offset tree planting will have a replacement ratio of 5-for-1 in order to ensure satisfactory replacement, and that advice from the relevant parish and town councils and local interest groups on species and locations will be heeded.

241. It is noted that the proposed Works will entail damage or removal of hedgerows throughout our area, with serious implications for the complete ecosystem. The hedgerows provide a vital interconnection function, and give shelter to numerous species of fauna and flora. Many hedgerows were established by the Enclosure Act of 1802 and contain mature oak trees from that period. Your Petitioners note the intention to plant substitute lengths of hedging, but seek an undertaking from the Promoter that the replacement hedges will be planted and nurtured to maturity in appropriate interconnecting locations, using species that are similar to those displaced, and that the overall scheme of planting will provide a quantity and quality of habitats equivalent to those that have been lost.

*General concerns during operation of the scheme*

242. Our residents are conscious that the proposed "Parkway" station at Middle Bickenhill is reliant on a large increase in road traffic. Notwithstanding improvements made to road vehicles, your Petitioners fear a deterioration in air quality. Potential pollution would arise from exhausts, evaporation, fluid leakage and spillage, brake dust, and wear at the tyre/ road interface. Your Petitioners seek an undertaking from the Promoter that there will be an extended programme to monitor the air quality in locations likely to be affected by pollution from increased or changed traffic flows, and that the results of
such monitoring will be taken into account in a scheme to compensate businesses and property owners for nuisance and blight.

243. Your Petitioners are also concerned by a potential deterioration of air quality due to railway maintenance work. Sources of pollution could include road vehicle emissions, grinding of the tracks, handling and tamping of track-bed materials, spraying of biocides and cleaning materials, and burning of waste. Your Petitioners seek an undertaking from the Promoter that there will be a robust system of monitoring and control.

244. The Promoter proposes that all maintenance work on the railway will be done at night, with the potential for disturbing residents with high-intensity lighting. Your Petitioners seek an undertaking that the operators of the railway will be required to reduce light spillage from maintenance works to the practicable minimum, that no light source will be mounted higher than the adjacent noise wall, and that full advantage will be taken of night-vision devices and automated maintenance equipment as they become available at reasonable cost so that the need for artificial illumination is minimised.

245. The noise caused by nocturnal maintenance is also a major concern for our residents. Processes to maintain track alignment and quality will be required frequently, and are known to be noisy. There will also be vehicle movements and the handling of heavy loads. Your Petitioners seek an undertaking from the Promoter that the operators of the railway will be required to keep noise barriers in place during maintenance work, and that residential properties will not be exposed to a nocturnal maximum noise level greater than 60 dBA or a continuous-equivalent noise level greater than 40 dBA.

246. Your Petitioners are disappointed that the Promoter has failed to offer any system to regulate operational noise and vibration levels, and welcome the amendment tabled in the House of Commons that would prescribe a statutory limit. The target speed of 400 km/hour has dominated the choice of route and the design of the proposed works. However, nothing has been done to demonstrate the disturbance caused to residents, visitors, businesses, and animals close to the proposed route, nor has the Promoter done any development work to reduce the noise from by the trains to the lowest practicable level, and nor has the Promoter conducted any trials to prove the effectiveness of mitigation measures. Because train characteristics and noise mitigation measures will deteriorate over time, and will be influenced by environmental conditions, your Petitioners contend that actual measurement is the only way to control the noise nuisance. Having considered the recommendations of the World Health Organisation for acceptable noise levels, and noted the Promoters' acceptance of the Channel Tunnel Rail Link method for the decline of noise level with distance, your Petitioners would consider that maximum outdoor noise levels of 60 dBA at 200 metres from the line, and 76 dBA at 25 metres from the line, would meet current expectations. Your Petitioners seek an undertaking that a mandatory maximum noise limit from the passage of a single train under standardised conditions will be set, that fixed noise monitoring stations will be installed and operated at regular intervals along the route, that Barratts Lane Farm and Mouldings Green Farm will be considered as possible noise monitor sites, that a system of spot-checks using portable noise monitors will be undertaken, and that penalty charges will be exacted on the operator for infringements.

247. Your Petitioners want financial incentives for the operator of the railway to comply with control limits on noise, emissions, pollution, and other nuisance, as used to enforce aviation noise limits. The operator of a train would have the ability to avoid penalties...
by proper maintenance and operating procedures, and could be informed in real time of potential problems. Your Petitioners seek an undertaking from the Promoter that future operators of the proposed railway will be subject to penalty charges, after impartial adjudication, for infractions of control limits placed on noise, emissions, pollution, and other nuisances, which could go to the community fund (paragraph 252).

248. Ground-borne vibration is not a major concern for our residents with the present proposals for the railway. However, if there were more tunnelling, as your Petitioners seek in paragraph 4 and elsewhere, there could be disturbance to residential properties during construction, operation, and maintenance of the railway. The Promoter has advanced limits for ground-borne noise that are not reflective of best practice. Nocturnal construction and maintenance noise would be a particular concern. Your Petitioners seek an undertaking from the Promoter that ground-borne noise and vibration will be controlled to best current practice, and would suggest a maximum noise level of 25 dBA (slow) at residential properties for lower frequency sound.

249. Your Petitioners note with concern the detail added to the Environmental Statement on the impacts on habitat and wildlife, in particular bat and otter, and the lack of extra mitigation. These findings reinforce the need for substantial measures, such as additional tunnelling, and for greater safeguarding, off-setting, and monitoring.

Given the long-term nature of ecological effects, there will be considerable difficulty in knowing whether the mitigation and offset arrangements advanced by the Promoter are adequate. Your Petitioners seek an undertaking from the Promoter that a long-term ecological monitoring programme will be established, and that the monitoring programme will be open to full involvement by Solihull Metropolitan Borough Council, the local parish and town councils, and relevant special-interest groups.

250. Long-term ecological monitoring may identify the need for restorative or corrective measures to bring the environmental outcomes closer to that which was intended and authorised. Your Petitioners seek an undertaking that future operators of the proposed railway will be obliged by contract to provide funding for, and to take, restorative ecological measures, when adverse affects appear to be developing.

251. Your Petitioners are concerned about the plight of residential property owners for whom the compensation arrangements are inadequate. Many properties will be impaired by the impacts of construction and operation of the proposed railway on amenity, convenience, employment, environment, traffic, and well-being. Your Petitioners seek amendments to the provisions of the Bill to provide compensation to all those who are injuriously affected or whose property loses value as a result of the proposed railway.

252. Residents are disappointed that no compensation has been offered to local communities, as a whole, for the general loss of public amenity and facilities such as open space, landscape quality, rural peace, and Public Rights of Way. Your Petitioners believe there should be an enduring and robust form of community compensation, which would distribute funds from the eventual operators of the proposed railway to community projects. A similar scheme has been operated successfully for many years by Birmingham Airport. Your Petitioners seek an undertaking from the Promoter that future operators of the proposed railway will be required by contract to maintain a Community Fund to support community projects in the areas of Solihull Borough that would be adversely affected by the proposed railway, that the fund will be administered...
by a committee drawn from local parish and town councils and other relevant bodies, that the operator of the railway will be obliged by contract to contribute £100,000 annually to the fund, and that the Fund will receive the proceeds from any penalty charges imposed for exceeding environmental limits.

253. Your Petitioners are aware of the predictions by economists that the proposed railway will cause a net outflow to London of key workers and employment opportunities. This will harm our residents by reducing the quality and quantity of local businesses in sectors such as retail, hospitality, and leisure. It is thought that this outflow of economic activity to London could be discouraged by appropriate regulation of ticket pricing. Your Petitioners seek an undertaking that the future operators of the railway will be required by contract to discourage the making of multiple journeys in a single day by issuing "carnet" multiple tickets rather than conventional multi-use season tickets, to not undercut the lowest price per kilometre on other Euston services, and to have a regulated cap on the ratio between the highest-price and cheapest tickets.

254. Users of public transport within our area are concerned that the operation of the proposed railway will impose a further financial burden on the local system of public transport. The West Midlands Integrated Transport Authority and Centro have already making cut-backs, and your Petitioners are aware that the Promoter proposes significant cuts in the services on the current mainline in order to help pay for those on the proposed railway. It is apparent that there will be large running costs for the new station at Middle Bickenhill, in particular for the Automated People Mover. Your Petitioners seek an undertaking from the Promoter that no costs arising from any element of the proposed high-speed railway will devolve onto the local community, Councils, or the West Midlands Combined Authority, to avoid any detriment to the great majority of public transport users.

255. Sections 53 and 54 of the Bill would give the Secretary of State a wide-ranging Right of Entry to land, backed by criminal sanctions, in connection with other undefined railway schemes. No explanation has been offered as to why these powers are sought, or why they are included in the current Bill. Since these provisions could be injurious to an owner of land anywhere, including Solihull Borough, your Petitioners seek the deletion of sections 53 and 54 from the Bill.

256. Whilst appreciating the complexity of the proposed scheme, your Petitioners are concerned about errors and omissions in the information provided by the Promoter. Because of the risk that your Petitioners may be disadvantaged by other errors and omissions that are not yet recognised, your Petitioners seek an undertaking that the Promoter will inform promptly all relevant organisations and persons of any further errors or omissions that come to light, and that the Promoter will allow them to petition for the relief of any injuries arising therefrom at no further cost.

257. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended and undertakings given as proposed above, the provisions of the Bill, so far affecting your Petitioners, should not be allowed to pass into law.
258. There are other clauses and provisions in the Bill which, if passed into law as they now
stand will prejudicially affect your Petitioners and their rights, (including their human
rights) interests and property and for which no provision is made to protect your
Petitioners and other clauses and provisions necessary for their protection and benefit
are omitted therefrom.

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.

Richard Anthony Lloyd (Chairman - Heart of England High Speed Railway Action Group)

David Disbery (Secretary - Heart of England High Speed Railway Action Group)

John Doidge (Treasurer - Heart of England High Speed Railway Action Group)

15 April 2016
High Speed Rail (London - West Midlands) Bill - Petition of Stop HS2

To the House of Lords

Session 2015–16

PETITION against the

High Speed Rail (London - West Midlands) Bill

THE PETITION OF STOP HS2.

Declares that:

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

Your Petitioners

2. Your Petitioners are the Stop HS2 campaign group, hereinafter referred to as Your Petitioners. The individuals who formed Stop HS2 became aware of HS2 in March 2010 and considered themselves directly affected by HS2. Stop HS2 was formed in June 2010, as a national grassroots campaign to represent all those deleteriously affected by the HS2 proposals. Your Petitioners are supported by over 100 local action groups, as well as numerous individuals and other groups such as Parish Councils and Residents Associations, as well as other regional and national groups, trusts and associations.

3. Your Petitioners have been recognised as representative of those deleteriously affected by HS2 by your honourable house, having been invited to appear before the House of Lords Standing Orders and Economic Affairs Committees. Bizarrely, the promoter challenged our locus standi after we had already been called to appear before the Commons committee, and locus standi was granted. Stop HS2 has also been called to appear before the Transport Select Committee, the HS2 Paving Bill committee and the Environmental Audit Committee.

4. Your Petitioners have organised numerous demonstrations and events, supported by thousands of people overall, and are recognised as the primary national organisation representing those who are opposed to HS2, but who also accept that effective engagement will lessen the impact of HS2 on communities if it were to go ahead.

5. Stop HS2 directors, members and supporters have sought to engage with HS2 Ltd and the Department for Transport on many occasions, with little success. Your Petitioners have
High Speed Rail (London - West Midlands) Bill - Petition of Stop HS2

consistently encouraged people, organisations and communities affected by HS2 to take part in consultations, HS2 community forums, bilateral meetings, and engage with The Promoter through all other means. Your Petitioners, whether as representatives of local councils, as representatives of Stop HS2 or as private individuals have repeatedly had reasonable requests for information refused or delayed by the promoters. Your Petitioners note that all other organisations have had similar experiences, even where the organisation is publicly supportive of the promoters.

6. Your Petitioner has been trusted by individuals up and down the route to petition on route-wide issues on their behalf. This was demonstrated by hundreds of letters of support being deposited as evidence to the locus standi hearing at the Commons Committee.

Independent Scrutiny

7. Your Petitioners wish to note that even when The Promoters have engaged with communities, there are examples of communities providing mitigation proposals which The Promoters have admitted would be better for the community, and cheaper to provide, but have still been turned down.

8. Your Petitioners are further concerned that on many occasions the promoters have treated consultation exercises as box ticking exercises. Your Petitioners note that following the 2011 consultation the promoters lost two batches of consultation responses, totalling over 1000 responses. Your petitioners also note that due to deficiencies in the information provided by the promoters, the House of Commons Standing Orders Committee and subsequently the House of Lords Standing Orders Committee both ruled on separate occasions that the Environmental Statement consultation should be extended.

9. There were multiple instances of petitioners to the Commons Committee being presented with new information on the day of hearings, after the deadline for submitting supporting evidence had passed. Your Petitioner sincerely hopes this will not be allowed at Your Honourable Committee, and any petitioners getting information at such a late stage will be granted the right to appear before you again if necessary.

10. In 2015, the Parliamentary and Health Service Ombudsman found HS2 Ltd guilty of maladministration. Whilst the Ombudsmans’ report was concerned with only one community, it could have been written about any of the places HS2 is planned to go through. HS2 Ltd has systematically failed to listen the communities along the line or to treat them like human beings. The report concluded that the community concerned: “Spent
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considerable time and effort drawing up proposals, but over the course of two years HS2 Ltd repeatedly failed to communicate their views on the proposals within agreed deadlines, cancelled meetings at the last minute and postponed other meetings, giving the families false hope that their plans would be considered, when in fact no feedback was ever given and it is not clear if the proposals were fully considered at all.”

11. Subsequently, in 2016 the Public Administration and Constitutional Affairs Committee looked into further incidences. Publishing their report, Chairman of the Committee, Bernard Jenkin MP, said: “There is still a culture of defensive communication and misinformation within this public body and that is not acceptable. Unless those responsible for delivering HS2 understand that first and foremost they serve the public, they will continue to be criticised for having complete disregard for the people, some of them vulnerable, who are impacted by this large-scale infrastructure project.”

12. We do not believe this state of affairs will improve with Royal Ascent of the HS2 Bill, in fact we believe, based on the realities of dealing with HS2 Ltd over the last six years that things would get worse. As such, we believe that independent scrutiny of HS2 Ltd and their nominated undertakers is essential, and support the proposals but forward as an amendment to the Bill at Commons 3rd reading by Mrs Cheryl Gillan.

13. HS2 Ltd have proposed the post of a ‘Construction Commissioner’. However, the commissioner would not be allowed to intervene until the internal complaints system within HS2 Ltd has been exhausted. If this is the case, it is likely the commissioner would be completely toothless, as if they ever get to investigate anything, it would be well after the fact and almost certainly inconsequential due to the passage of time. We believe the first point of call should be the commissioner, who should have powers to stop work if infringements are taking place.

Concerns about unprecedented powers contained within The Bill

14. Your Petitioners are concerned that the powers sought in the Bill go beyond the scale of powers of what is reasonably required to achieve the construction and operation of the high speed railway and its associated development particularly in relation to the acquisition of land and rights in land, air space and subsoil.

15. Your Petitioners note that Clause 40 removes the normal procedure, laid out in the Railways Act 2005, for closing any existing railway line, railway service or station if ministers deem its closure “necessary or expedient” for HS2. Given that this may result in a permanent closure (there is no requirement for re-instating the service) Your Petitioners believe this clause should be removed.
16. Your Petitioners are concerned that rights of entry and authorisations to enter land for surveying purposes go beyond the rights that are reasonably necessary. This permits entry to any land anywhere in Great Britain for the purpose of any high speed railway which ministers might wish to propose in the future. It is outside the long title and scope of the Bill, not being a purpose connected with HS2.

17. Clauses 53 & 54 of the Bill allow for anyone nominated by HS2 Ltd to have ‘right of entry’ to any property within 500 metres of any property near any other future high-speed line, even if no plans have been published. Refusal to admit entry could be a criminal offence. Your Petitioner requests that Clauses 53 and 54 should be deleted, as property owners of Phase 1 have mostly refused entry to property due to the attitude of HS2 Ltd, with many home and land owners having had no communications from HS2 Ltd until they wanted access to land, after the main consultation had concluded.

18. Compensation under Clause 54(5) is limited to damage to land or other property and does not include any other losses, such as the owner or occupier being deprived of the use of the land or incurring extra costs to manage the entry onto their land. The compensation provision is narrower than in other legislation (for example, section 292 of the Highways Act 1980) and if a right of entry is retained then it should be amended.

19. Your Petitioners are concerned by Clause 48 of the Bill (compulsory acquisition of land for regeneration and relocation) which is too broad in scope and is not limited by time or distance. Any land, anywhere in the country could be bought, at any time under this clause. Your Petitioner believes that this power should be removed.

Electricity Supply

20. Your Petitioners have no idea where all the electricity for HS2 is going to come from, given that a design speed has been chosen which will require far more electricity than conventional trains, and that the UK is supposedly facing challenges to meet current generation requirements. It seems that The Promoters have no idea either.

21. The requirements for generating the electricity HS2 would require have not been properly considered or costed. Your Petitioners require that The Promoters include more realistic projections of the power costs they would incur, as well as other more realistic running cost projections.
22. The Promoter has stated that: "The total maximum demand of HS2 for both Phase One and Two is estimated to be 800 MW." To put this in context, that is half the output of one of the nuclear reactors planned for Hinkley C. The promoter should detail the power requirements HS2 would require, what and what implications and requirements this would mean for future electricity generation, and what the associated costs of any new generation infrastructure should be. Your Petitioners request that any such addition to electricity generation and transmission infrastructure should be added to the overall costs of HS2.

Concerns about the reported costs and benefits of HS2

23. Your Petitioners note the report on HS2 produced by the Economic Affairs Committee. We share many of their concerns. We also note that HS2 Ltd that there is little transparency regarding the costs and benefits of HS2. It is clear much of the information concerning the costs of HS2 is misleading, a recent example of which is that it was stated at Second Reading in the House of Lords that the costs of HS2 were updated in 2015 to account for inflation. A Freedom of Information request had already showed this not to be true. In reality, the cost of Phase 1 had risen by 15.02%, whilst Phase 2 (not including the proposed Crewe Stations) had risen 39.20%.

24. Your Petitioners ask your honourable committee to order a full-scale independent appraisal of the entire business case for HS2.

Concerns about the Environmental Statement

25. Your Petitioners consider that the Environmental Statement deposited with the Bill ("the ES"), including the non-technical summary that is supposed to make it easier for people to understand, provides inconsistent and limited (often generic) information on impacts, limited and incomplete baseline information to support these impacts, fails to reflect the deprivation of the areas most affected by the proposal, includes constant inaccuracies on what is in or out of the construction zones, provides no clarity on when the construction works will actually commence or the timeframe of construction impacts, no information on tunnelling and/or settlement impacts, nothing on what is meant by 'temporary' impacts, no assessment of the impacts on vulnerable residents, no clear works programme, no thorough assessment of noise and air impacts, and inadequate risk assessment on land disturbance. The full range of health impacts has not been properly assessed. The transport assessment in the ES is based on unreliable traffic and pedestrian baselines due to deficiencies in data.
collection, insufficiently substantiated estimates and inappropriate application models, resulting in a general under-estimation of impacts. Inadequate consideration has been given to the broader amenity effects that will arise through cumulative impacts.

26. The layout of the ES is such that an individual resident would find it very difficult to determine the cumulative impacts of the project on a specific site. For example, the noise, air quality and transport impacts have been reported separately and there is no spatial presentation of the information or basic description of the cumulative environmental impacts at any given location. The effect of this is that neither your Petitioners nor other interested parties are in a position to understand the scale of impact on the environment, nor assess whether the mitigation proposals are adequate at any given location.

27. Your Petitioners provided the House of Lords Standing Orders Committee with written and oral evidence of missing information on the Environmental Statement consultation which was instrumental in the House of Lords extending the consultation.

28. The Supreme Court's deliberations on the Strategic Environmental Assessment requirements showed a clear expectation that Parliament and the Hybrid Bill process would ensure that all necessary environmental investigations and assessments were performed. Your Petitioners request that the Committee ensures that the highest level of environmental protection, assessment and investigation is undertaken.

29. Your Petitioners do not believe that all the likely significant effects on the environment have been adequately described in the ES and are of the view that the mitigation measures proposed have not been adequately described. In many instances, no mitigation is offered or what little mitigation is referenced, is left to the draft Code of Construction Practice ("COCP"). That is inadequate because the COCP is in draft form and will remain as such until after the Bill has been enacted. The term, 'reasonably practicable' has been used frequently throughout the COCP but it is not clear who will decide what is 'reasonably practicable'. Your Petitioner is also concerned to ensure that the Nominated Undertaker is required to adopt the very highest standards in respect of the mitigation of the effects of noise, vibration, dirt and dust.

30. Your Petitioners are concerned that there is no measurable independent method of compliance by contractors and other organisations in relation to noise, vibration, dust and other issues. Your Petitioners require The Promoter to adequately fund local authorities along the route to monitor these issues, ensure compliance and deliver enforcement.

31. It is vital that the deficiencies in the ES identified by your Petitioners and by the Environmental Audit Committee of your honourable House are remedied by the Promoter of the Bill, whether by way of an addendum to the ES or otherwise. One reason this is so
important is that the Environmental Minimum Requirements, which have been produced by the promoter of the Bill in draft, contain important obligations which will fall on the Nominated Undertaker when constructing and operating the railway, and a number of those obligations are specifically tied in to the ES and depend upon its accuracy.

32. Your Petitioners also want to make it clear that for years, whenever anyone asked a representative of The Promoters for more detail, they were told to 'Wait for the Environmental Statement'. In the vast majority of cases, people are still waiting.

General concerns about the Code of Construction in the construction phase

33. Your Petitioners note that the assessment in the Environmental Statement was on the assumption that the Code of Construction was adhered to. However there the Code of Construction has no legal status. Your Petitioners submit that the Code should be incorporated into the Bill. This has been consistently resisted by the Promoter, who seem to think the stance “We don’t need to be made to do this, we are promising to do this” is in some way reassuring.

34. Your Petitioners believe that the arrangement proposed by the Promoter in the Code of Construction Practice, whereby the nominated undertaker would be responsible for both the delivery and the enforcement of proper conduct by the nominated undertaker’s contractors and sub-contractors, implies a conflict of interest and is inadequate. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice such as empower local parish and town councils to employ jointly an Environmental Health Officer, for the duration of the works, with the power to suspend works, should be agreed control measures be breached, and until more rigorous measures have been put in place, and your Petitioners seek an undertaking from the Promoter that all costs arising from the employment of such an Environmental Health Officer will be met by the nominated undertaker.

36. Your Petitioners note that the Bill and the Code of Construction Practice would confer powers on the Secretary of State and Local Planning Authorities for the summary approval of a wide range of matters relating to the construction of the proposed scheme. There is extensive concern that there is no requirement for the nominated undertaker and its contractors to enquire about the effects of the proposed Works on local people, and to stop, delay, or amend activities to reduce injurious effects to the lowest practicable level through a process of negotiation with local councils and amenity groups. Your Petitioners seek amendments to the provisions of the Bill and the Code of Construction Practice to ensure that the nominated undertaker and its contractors will engage with local councils and
amenity groups, will attend meetings, will make available the general work plan, and will give the relevant parish or town council and amenity groups a month’s notice of works before their commencement, to allow time for representations to be made.

37. Your Petitioners note that the standards in the Code of Construction are of “reasonableness” and “reasonable endeavours”. Your Petitioners submit that these standards should be much higher and replaced by, for example, “best practice”.

39. It is of great importance to our supporters that the Works permitted by the Bill are carried out with the best possible regard for their rights and well-being. A major consideration is the avoidance of disturbance at unsocial times of day. Your Petitioners recognise that construction work is inherently disturbing, and that some activities need to be continued outside core hours. However, the measures proposed by the Promoter are far too loose, and your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would restrict start-up and close-down periods to 30 minutes to prevent abuse of the system, that would require local approval through the engagement process requested for activities outside core hours likely to cause undue disturbance through noise, vibration, traffic, dust, fumes, or lighting, that such work would be justified by the use of major plant or the need to avoid day-time disruption, that detailed applications for such works would be made 14 days in advance, and that Bank Holidays would be treated the same as Sundays.

40. Your Petitioners are concerned by the potential intrusion, disruption, and loss to property that could arise from inadequate site management and inappropriate choice of work sites, material dumps, and traffic routes. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require work areas to be set up, maintained, operated, cleared, and reinstated to the satisfaction of the local community through the engagement process requested, with regard especially to the mitigation of visual intrusion, protection and insulation from noise and vibration, and the positioning of vehicle routes.

41. Dust and emissions generated by the proposed construction works could injure the amenity, health, and property of residents, farmers, and businesses (particularly those with outdoor displays). Your Petitioners are aware of the damage caused by dust problems during the construction of the Channel Tunnel Rail Link. During construction, air quality will be degraded by NO2 and PM10 emissions, and by dust generated during earthmoving or blown from stockpiles. Airborne particles derived from soil, rock, cement, and the cutting of steel, plastic, and wood constitute a real hazard to health. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require the regulation and protection of air quality through the engagement process requested, that would establish objective control measures for enforcement by the
Environmental Health Officers, using the latest relevant guidance, and that would ensure construction machinery conforms to the latest standards.

42. Intrusive noise from the construction works would be very disturbing for residents, businesses, and livestock. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require the application of Section 61 of the Control of Pollution Act 1974, the approval of intrusive activities through the engagement process requested, the provision by the nominated undertaker of noise insulation for adjacent properties whenever continuous-equivalent noise levels of 50 dBA and above at the receptor are predicted, and the application of "Best Practicable Means" criteria when considering methods of reducing noise disturbance.

43. Your Petitioners are concerned that during the construction phase, high-intensity lighting would be used during nocturnal working, and that this would be very disruptive for residents, particularly when used on elevated sections of the route. Your Petitioners seek amendments to the Code of Construction Practice that would require strict guidelines and control criteria, as well as the regulation of working outside core hours as requested.

Concerns about water supplies

44. Your petitioner is concerned that there are potential adverse impacts on water resources. The increased risk of surface water flooding arising from the construction and operation of the works authorised by the Bill has also been inadequately assessed and has the potential to have significantly adverse impacts.

45. The Flood and Water Management Act 2010 means that Lead Local Flood Authorities have responsibility for surface water flooding, but HS2 Ltd as of yet have been ignoring this legislation and only liaising with the Environment Agency, whose competence surrounding the issue of flood risk, management and prevention has recently been demonstrated to the entire country.

46. Your Petitioner are concerned about the danger of water pollution arising from the construction and operation of the proposed high speed railway and associated development and the run-off into surrounding watercourses, as well as the expected flow rates or impact on surrounding transport.

47. Your Petitioners request that throughout construction there should be sampling of surface water at different locations surrounding each construction site and these samples should be independently tested at a United Kingdom accreditation service laboratory. The
results from the sampling should be shared with the Environment Agency and the relevant local authority. The results should be benchmarked against accepted water quality levels.

48. Your Petitioners are concerned that the Hybrid Bill seeks to undermine long standing and important legal safeguards concerning the safety of drinking water. Your Petitioner requests that Clause 32 and schedule 21, which override key legal safeguards that protect public water supplies be deleted from the Hybrid Bill.

49. Your Petitioners have little faith in flood risk assessments published by HS2 Ltd. In some places the ‘maximum flood level’ has been exceeded in modern memory, whilst in others the Promoter has proposed diversions to water courses, yet there has been no change whatsoever in the flood assessment. In November 2013, HS2 Ltd published their comprehensive flood risk assessment, however in February 2014, it was reported that Dan Rogerson, the floods minister, said that officials had still not assessed any likely flood risk from the HS2 route for the first section, from London to Birmingham, saying “The scale of that risk will depend on the precise alignment of the route. At present this has not been fully assessed, nor has an assessment been made for the phase two routes.”. It is imperative that the robust flood risk assessment is conducted and published prior to the conclusion of the petitioning process.

**Concerns about ancient woodland and trees**

50. Your Petitioners are concerned about the impact of the HS2 scheme on ancient woodland. Ancient woodland has been continuously wooded for at least 400 years, and is an irreplaceable national resource of great importance for its wildlife, soils, recreational uses, cultural value, history and the contribution it makes to our diverse landscapes. Your Petitioners are particularly concerned about the extent of loss of ancient woodland and harm to biodiversity that will result from the Bill as currently proposed and the impacts of the construction of works and other proposed activities on ancient woodland.

51. Your Petitioners ask that the Bill should not become law unless proposals are brought forward by HS2 which significantly reduce the extent of loss of ancient woodland. Because ancient woodland is irreplaceable, its loss cannot be mitigated, only compensated for. Your Petitioners are very concerned that the compensation measures proposed by the Promoters are inadequate. Where limited loss is inevitable greater compensation should be provided and it should be guaranteed for the future.

52. Your Petitioners note that the Promoter state they will aim to construct deep cuttings through ancient woodlands, however inspection of the proposals show this is the exception rather than the rule.
53. Your Petitioners are also concerned about indirect effects on ancient woodland from the construction of HS2 including adverse impacts from noise, light and air pollution, and working within and adjacent to ancient woodland. Further mitigation of these impacts, such as large buffers and relocation of working sites, should be provided if the scheme goes ahead. No ancient woodland sites should be used for temporary construction sites.

54. Your Petitioners support all petitions brought by the Woodland Trust.

55. Your Petitioners are concerned that the scheme will also impact on other areas of old woodland which are not yet designated as 'ancient woodland'. Your Petitioners ask that other areas of old woodland are treated with similar concern to woodland designated as ancient woodland.

56. Your Petitioner is concerned that The Promoter has completely ignored the following statements, advice and statues:

   a. It is a stated policy of the Defra/Forestry Commission statement on ancient woodland Keepers of Time that "existing areas of ancient woodland should be maintained". This implies that there should be no further losses of this habitat.

   b. The National Planning Policy Framework (NPPF) requires that loss of ancient woodland should not be permitted "unless the need for, and benefits of, the development in that location clearly outweigh the loss". No consideration of whether the HS2 proposal satisfies this test has been given in the Environmental Statement, or elsewhere.

   c. The Natural England and Forestry Commission publication Standing Advice for Ancient Woodland and Veteran Trees advises, in paragraph 6.1, that where proposals "seek to address issues of loss or deterioration of ancient woodland veteran trees", measures that rely on mitigation or compensation "should be issues for consideration only after it has been judged that the wider benefits of a proposed development clearly outweigh the loss or damage of ancient woodland".

Concerns about Hedgerows

57. It is noted that the proposed Works will entail damage or removal of hedgerows throughout the route, with serious implications for the complete ecosystems to which they give shelter. Your Petitioners note the intention to plant substitute lengths of hedging, but seek an undertaking from the Promoter that the replacement hedges will be planted and nurtured to maturity in appropriate locations, using species that are similar to those
displaced, and that the overall scheme of planting will provide a quantity and quality of habitats equivalent to those that have been lost.

Concerns about replacement of habitats and wildlife, including plants

58. The construction and operation of the line puts at risk a large number of wildlife sites, including SSSIs. Your Petitioners seek an undertaking from the Promoter that naturalised equivalent replacement habitats will be created within the locality as part of the landscaping, that these will be developed to the satisfaction of local groups such as local Wildlife Trusts, and that they will be protected and maintained in perpetuity.

59. 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. Starting ecology monitoring after construction has taken place will provide no meaningful data, as it will only start after the greatest damage has taken place. As such, your petitioner believes the timing of the start of this programme is intended to be ‘fixed’ so that it shows HS2 will have a beneficial ecological impact, as monitoring will start at the ecological low point.

60. The ecological review group must be established before construction, 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.

Concerns about Light Pollution

64. Your Petitioners are concerned that aspects of the scheme will involve additional lighting during construction and operation, such as construction camps and maintenance depots and along the line of the route and on road systems. Your Petitioners note that many of the countryside areas affected by the scheme currently experience exceptionally low levels of
light pollution, which is to the advantage of astronomy and wildlife. Your Petitioners note that some areas may wish the Promoters to add extra lighting in some areas. Your Petitioners do not ask for a blanket decision, but ask that lighting takes into consideration existing night time light levels and is designed to minimise light spillage.

Concerns about electromagnetic interference

66. Your Petitioners are concerned that the promoter has failed to carry out any analysis of electromagnetic interference and blockage issues affecting third parties. The high speed trains envisaged by the proposed scheme will consume several times the 5 MW peak power consumed by current trains, so there will be very heavy currents in the electrical supply system. In addition, much of the line and its overhead line equipment is proposed to be significantly elevated above the natural terrain. It is thought the UHF band is the most susceptible to blocking and multi-path interference, and this band is used heavily for cellular telephony, television, emergency services, and satellite navigation. Any impairment to signal strength or quality would cause inconvenience and financial loss, and compromise the response time from emergency services. Your Petitioners seek an undertaking from the Promoter that a full analysis will be carried out to determine the potential extent of electromagnetic signal interference and blockage, and the best way to restore acceptable signal strengths.

67. Your Petitioners are concerned that some elevated structures would block or distort electromagnetic signals, particularly those in the UHF band used for television, mobile telephones, and navigation. Residents, businesses, and service providers would suffer inconvenience, hazard, and expense if signals were blocked or distorted. In many areas, the Promoter has failed to assess whether the elevated road and railway would interfere with radio signals, nor considered whether extra repeater stations would be needed, nor where they would be located. Your Petitioners seek an undertaking from the Promoter that a prompt and proper investigation of the potential blockage of UHF signals will be carried out, that all necessary powers and funding will be provided for installing additional antennas or other means to restore full service, and that these additional devices will be attached to the elevated structures in order to reduce the impact on the landscape.

Concerns regarding the proposed speed of HS2

68. Your Petitioners do not understand why HS2 is being designed for a speed of 250mph, when these would require a significantly higher power input than conventional trains, or
even Eurostar which has a maximum speed of 186mph. The 250mph design speed is responsible for a large proportion of the damage to communities and the natural environment. The 186mph design speed of HS1 allowed for more sensitive routing, and the ability of that railway to follow existing transport corridors, which brought some benefit to the natural environment, in creating new habitats in islands of land created between the railway and the M2 and M20.

69. Your petitioner does not understand why the 'Kent Principles' were abandoned by HS2, and ask that the need for a new north south railway is re-assessed, and if it is decided that a new railway should be built, ask that it is designed with a speed of a maximum of 186 mph, which would allow more sensitive and sensible routing options, as recommended by the Environmental Audit Committee.

70. It is an undeniable fact that if a design speed lower than 250mph had been chosen for HS2, that many of the complaints and petitions delivered to your honourable committee simply would not have happened. HS2 Ltd dismissed intermediate stations at Coventry, Brackley and Aylesbury on the grounds that they would slow the train down too much, even though intermediate stations would be of benefit to some of the people affected by the HS2 route. Because HS2 could have been designed in a more sympathetic manner, or even be designed with a completely different route which would have delivered fewer problems, lower costs and better connectivity to more places, such as the proposals from HSUK.

Community Funds

71. Your Petitioners note our request that the Promoters of the Bill should be required to establish a series of community funds was agreed to. 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.

Concerns about Archeology

72. Your Petitioners consider that the Promoters and the Nominated Undertaker must provide adequate opportunity and funding for archaeological investigation in respect of each of the construction and work sites. Your Petitioners submit that the cost of these measures should all be borne by the Promoter.
73. Your Petitioners believe that the proposals in the Code of Construction Practice for enforcement of measures to protect archaeological remains and cultural heritage assets, during the construction of the scheme, are inadequate. Example issues in this category are known or postulated assets, incidental discoveries, prospective surveys, safeguarding, documentation, preservation, and protection against looting. It is understood that about half the archaeological sites excavated during the construction of the Channel Tunnel Rail Link were unidentified prior to the project.

74. Some Local Authorities have no staff proficient in this speciality. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would empower local parish and town councils to employ jointly an Archaeological Officer, for the duration of the works, with the power to suspend works, should agreed control measures be breached, and until more rigorous measures have been put in place, and your Petitioners seek an undertaking from the Promoter that all costs arising from the employment of such an Archaeological Officer will be met by the nominated undertaker.

75. The large-scale earthmoving required for the construction of the proposed railway would pose a major threat to archaeological traces that lie undetected. Your Petitioners seek amendments to the Code of Construction Practice that would require the principles of PPS 5 (2010) or best practice at the time to be applied to sites that could be in any way affected by the Works, that would ensure that, prior to disturbance archaeological investigations are undertaken, using best practice at the time of investigation.

General Concerns about loss of community identity

76. Your Petitioners ask that the local architectural styles are taken into account when choosing final designs of bridges, viaducts and other structures.

General concerns about Highways in the construction phase

77. All residents and local businesses are likely to suffer inconvenience and financial loss from the closure and diversion of roads, bridleways, and footpaths, and from the additional and diverted traffic on the routes that remain open. This will affect public transport, commuters, delivery vehicles, utility vehicles, emergency services, farm traffic, and recreation, with a particular impact on businesses that use the roads as part of their activities, such as taxis and hire cars, driver training, and horse riding establishments. Your Petitioners seek amendments to the Code of Construction Practice that would require the
nominated undertaker and its contractors to give a month’s advance notification of proposed heavy construction traffic flows, route closures, traffic control measures, and diversions, through the community engagement process requested, together with publicity in a form comprehensible to all users.

78. The disruption, inconvenience and loss has not been estimated fully by the Promoter, as assessments have been restricted to peak hours, although disruption will occur throughout the day. Your Petitioners seek amendments to the Code of Construction Practice that would require the nominated undertaker and its contractors to apply for the closure or diversion of carriageways, bridleways, and footpaths through the community engagement process requested, that would give the relevant parish or town council the right to refuse permission for route closures and diversions, that would empower the relevant parish or town council to regulate the time of day when heavy traffic flows and traffic control measures would be allowed, and that would require a clear procedure to ensure closures, diversions, and restrictions are properly coordinated and well signed.

General concerns about Agriculture and Ecology in the construction phase

79. As with matters of Environmental Health, Your Petitioners believe that the proposals in the Code of Construction Practice for enforcement of measures to protect agriculture, ecology, and the natural environment, during the construction of the scheme, are inadequate. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would empower local parish and town councils to employ jointly an Ecological Officer, for the duration of the works, with the power to suspend works, should agree control measures be breached, and until more rigorous measures have been put in place, and your Petitioners seek an undertaking from the Promoter that all costs arising from the employment of such an Ecological Officer will be met by the nominated undertaker.

80. It is noted that the protection of trees during construction works requires specialist knowledge. Your Petitioners assert that inadequate measures are specified in the Code of Construction Practice, and so seek amendments to the Code of Construction Practice that would require the nominated undertaker and its contractors to work through the community engagement process requested and to respond to advice from the Local Authority Tree Officers and the local Tree Wardens.

81. Your Petitioners are concerned about potential damage to the environment from the escape of industrial gasses from plant and vehicles during the construction phase. Your
Petitioners seek amendments to the Code of Construction Practice that would require the application of strict control measures to the latest standards.

82. Your Petitioners would draw attention to the substantial risk to the environment from spillages of oil, fuel, hydraulic fluids, other materials from vehicles, machinery, and fixed installations, and to the harm that would be caused by contaminated run-off into the water system and by residues left on land that is returned to agriculture. Your Petitioners seek amendments to the Code of Construction Practice that would require the application of strict control measures to the latest standards.

83. The propagation of weeds by the movement of vehicles and the failure to control seed formation would cause inconvenience and loss to agricultural business and residential gardeners. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require the nominated undertaker to provide training to contractors and sub-contractors, to carry out inspections, to destroy identified weeds, to grant access to work sites for those with a legitimate concern, and to ensure this topic is properly considered in the engagement process requested.

84. Your Petitioners consider that the significant lengths of embankments and deep cuttings in the proposed Works will have a serious impact on drainage and ground water, with implications on residential, commercial, and agricultural land use. The Promoter has not set out a procedure for reviewing hydrological issues during the groundworks. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require the on-site identification of the exposed strata and hydraulic modelling to determine appropriate mitigation, and that would require the Promoter to establish a committee to review hydrological findings on a monthly basis and ensure corrective actions are carried out.

Other general concerns in the construction phase

85. Your Petitioners are concerned about the lack of detailed proposals for security fencing of the line, and the potential impacts on the landscape. It is understood that for maximum effectiveness, the noise barriers would be close to the line, and cable troughs and access tracks would result in a typical trace width, across fences, of 22 metres. Your Petitioners seek an undertaking from the Promoter that any security fences will be coloured to tone into the environment, such as olive or yellow-green in rural settings and chocolate brown or terracotta in built-up situations, and that the advice and wishes of the relevant parish or town council will be followed.
86. The Code of Construction Practice includes a Small Claims Procedure, but local councils are excluded from using it. In view of the land and property owned by parish and town councils along the route, your Petitioners seek an amendment to the Code of Construction Practice that would allow parish and town councils to seek redress through the Small Claims Procedure.

87. Your Petitioners consider that the analysis of the potential impairment of existing businesses along the route, during both construction and operation of the proposed scheme, is inadequate. The losses suffered by established businesses in, and related to, agriculture has not been quantified. There is a wide variety of full-time and casual jobs in the diversified rural economy that will be jeopardised by disruption, environmental impacts, and the disinclination of customers to visit an area beset with large-scale construction works. Non-agricultural businesses are widespread and many will be damaged by the extended loss of their rural ambience. Your Petitioners have little expectation that many construction jobs will go to local people, based on experience with similar projects. Your Petitioners seek an undertaking from the Promoter that, before any preparation for the Works is started, a detailed breakdown of prospective job losses and reduction in available working hours will be made, analysed by employer, locality, and occupation, taking into account factors such as disruption, access difficulties, relocation, loss of premises, and customer alienation.

88. Your Petitioners are of the opinion that the construction of HS2 will constitute a "material change of circumstance" for the purpose of establishing the rateable value of local businesses. We request that HS2 Ltd fund the employment of officials to help local businesses obtain a property revaluation and to assess the damage to the local economy (by monitoring the use of local car parks, for example). Should these measures prove inadequate, we request central government support for local businesses during the construction period.

Restoration of the agricultural landscape after construction of the scheme

89. Your Petitioners wish to draw attention to the large-scale temporary use of agricultural land during the construction phase of the proposed works. The Promoter proposes to occupy very substantial areas of agricultural and forestry land for spoil heaps, work camps, and other purposes at numerous places along the route. Your Petitioners are concerned that the soil in these areas would be susceptible to damage by static compaction, by pollution, and during handling, and that the field drains will be broken. Your Petitioners seek an undertaking from the Promoter that every care will be taken to prevent these damages, that restoration will be done to a high standard and will comply with the Standard for Farmland Remediation, that field drains will be restored, and that land occupiers will be fully compensated for any failure to do this work correctly and promptly.
90. Your Petitioners are concerned that in the assessment made by the Promoter of the effect of the proposed scheme on the landscape, no account was taken of the consequential effects of the economic damage done to agricultural businesses during the construction phase. Your Petitioners anticipate that many agricultural businesses would cease to function during the construction period, and that afterwards, the reduction in land area and fragmentation will reduce the economic viability of those that continue. Your Petitioners seek an undertaking from the Promoter that an agency will be created, together with a compensation scheme, to stimulate the amalgamation of uneconomic agricultural land fragments into viable holdings.

91. Your Petitioners are also concerned that the temporary use of land during the construction phase of the scheme would be used as an argument to circumvent Greenbelt and spatial planning guidance and plans. Your Petitioners seek amendments to the Bill to disallow temporary use of the land during construction of the scheme as a material consideration in the determination of future Local Plans, Greenbelt boundaries, and planning applications, and to prohibit any change of use from agriculture for a period of 5 years after the land has been restored and returned to agricultural production.

Restoration of ecology after construction of the scheme

92. Your Petitioners note that a wide range of measures for ecological compensation has been offered by the Promoter, but there is a lack of firm action plans and clear standards. Your Petitioners seek an undertaking from the Promoter that the implementation and monitoring of bio-system replacement will be done to a high uniform standard throughout the proposed scheme, that the Promoter will follow the guidance in the National Planning Policy Framework and seek to improve the natural environment, that there will be compliance with the European Environmental Impact Assessment criteria, the UK Chartered Institute of Ecology and Environmental Management standards, and British Standard BS 8545 "Trees: from nursery to independence in the landscape", and that the creation of alternative habitats and translocation of species will be commenced as soon as reasonably practicable.

93. Trees are critical features in the landscape and need long-term planning and care due to their slow growth rate. Your Petitioners seek an undertaking from the Promoter that where tree planting is to be used as an offset, at the very least, the DEFRA recommended replacement ratio is used, and that advice from the relevant parish and town councils and local interest groups on species and locations will be heeded.
required to reduce light spillage from maintenance works to the practicable minimum, that no light source will be mounted higher than the adjacent noise wall, and that full advantage will be taken of night-vision devices and automated maintenance equipment as they become available at reasonable cost so that the need for artificial illumination is minimised.

102. The noise caused by nocturnal maintenance is also a major concern for residents. Processes to maintain track alignment and quality will be required frequently, and are known to be noisy. There will also be vehicle movements and the handling of heavy loads. Your Petitioners seek an undertaking from the Promoter that the operators of the railway will be required to keep noise barriers in place during maintenance work, and that residential properties will not be exposed to a nocturnal maximum noise level greater than 60 dBA or a continuous-equivalent noise level greater than 40 dBA.

103. Your Petitioners note that The Promoter has suggested that HS2 would not operate during the night and would not carry freight, however similar assurances were given regarding CTRL, yet HS1 now carries freight. Your Petitioners seek an undertaking from The Promoter or an amendment to the Hybrid Bill to prevent night running or 24 hour running for passenger or freight services.

104. Your Petitioners are disappointed that the Promoter has failed to offer any system to regulate operational noise and vibration levels from the trains. The desire to design a railway that can at up to 400 km/hour has dominated the choice of route and the design of the proposed works. Even if the initial running speed is not as fast, your Petitioners are concerned that in future speeds may be increased with a subsequent increase in noise levels. Nonetheless, the Promoter has taken no steps to demonstrate what disturbance this would cause to residents, visitors, businesses, and animals close to the proposed route, nor has the Promoter done any development work to reduce the noise generated by the trains to the lowest practicable level, and nor has the Promoter conducted any trials to prove the level of mitigation that might be afforded by various measures. Because train characteristics and noise mitigation measures will deteriorate over time, and will be influenced by environmental conditions, your Petitioners contend that actual measurement is the only way to control the noise nuisance. Having considered the recommendations of the World Health Organisation for acceptable noise levels in various situations, and having noted the Promoters' acceptance of the Channel Tunnel Rail Link method for the decline of noise level with distance, your Petitioners would consider that maximum outdoor noise levels of 60 dBA at 200 metres from the line, and 76 dBA at 25 metres from the line, would meet current expectations. Your Petitioners seek an undertaking from the Promoter that a mandatory maximum noise limit from the passage of a single train under standardised conditions will be set, that fixed noise monitoring stations will be installed and operated at regular intervals along the route, that a system of spot-checks using portable noise monitors will be
undertaken, and that a penalty charge will be exacted on the operator of any train that fails to comply with the noise limit.

105. It appears to your Petitioners that there should be financial incentives to encourage the operator of the railway to comply with control limits on noise, emissions, pollution, and other nuisances. A system of penalty charges has been used for many years to provide incentives to meet aviation noise limits. The operator of a train would have the ability to avoid penalties by proper maintenance and operating procedures, and could be informed in real time of the performance of each train. Your Petitioners seek an undertaking from the Promoter that future operators of the proposed railway will be obliged by contract to pay penalty charges, after impartial adjudication, for infractions of control limits placed on noise, emissions, pollution, and other nuisances into a fund for the benefit of affected communities, such as that proposed earlier.

106. Given the long-term nature of ecological effects, it would appear there would be considerable difficulty in knowing whether the mitigation and offset arrangements advanced by the Promoter have produced the desired results. Your Petitioners seek an undertaking from the Promoter that a long-term ecological monitoring programme will be established, and that the monitoring programme will be open to full involvement by councils at all levels, and relevant special-interest groups.

107. It is expected that long-term ecological monitoring would identify the need for restorative or corrective measures to bring the environmental outcomes closer to that which was intended and authorised. Your Petitioners seek an undertaking from the Promoter that future operators of the proposed railway will be obliged by contract to provide funding for, and to take, restorative ecological measures, when adverse effects appear to be developing.

Carbon

108. Your Petitioners believe that the current HS2 proposals are incompatible with both the 2006 and 2008 Climate Change Acts.

109. The immense environmental damage HS2 causes along the route is made worse by the carbon emissions due to building it. Although initially, HS2 Ltd claimed HS2 was likely to be carbon neutral, they now say that after 60 years of operation — in 2086 — the operation of HS2 will still not have offset the carbon costs of construction. They assert over the full 120 year lifetime of the scheme — i.e. by around 2136 — they carbon costs of building will have been offset by carbon savings. Your Petitioners point out that over the last 120 years railways have gone from steam powered through diesel powered to electric powered. Your
Petitioners would also like to note the prediction in the letter to the Times in 1894 that the streets of London would be covered in horse manure did not come to fruition, as alternative technologies made horses in London a rarity. Your Petitioners assert that assumptions about carbon savings between 2086 and 2136, should not be a factor in the case for HS2.

Concerns regarding Euston Station

110. The current proposal for Euston station is the fourth iteration of the plans, and is without doubt the worst, as was clearly rushed out to avoid the Commons Committee process stalling. The construction process is now expected to take until 2033 for the purposes of HS2, with an unknown further period for Network Rail to reconstruct the remains of their part of the station. The design urgently needs reviewing, with there being a necessity for community involvement.

111. Construction at Euston will have a significantly detrimental impact on the operation of the West Coast Mainline. Forecast for proposed service patterns during this period must be produced as soon as possible.

The Prayer

112. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended and undertakings given as proposed above, the provisions of the Bill, so 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

Date
To the House of Lords
Session 2015–16

PETITION against the
High Speed Rail (London – West Midlands) Bill
THE PETITION OF Antony Pearce

Declares that:

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

2. Your petitioner

2.1. The petitioner is the freeholder and occupier of Moat Farm, Marsh Lane, Stoke Mandeville, Aylesbury which is a farm in Buckinghamshire. Your Petitioner has an interest in a substantial number of plots of land shown in the Book of Reference. Moat Farm is shown in the deposited plans in the County of Buckinghamshire, District of Aylesbury Vale Plan, sheet No. 2-34, 2-36 and 2-38. Your Petitioner will lose approximately 14 hectares directly to the line, 12 hectares to the Stoke Mandeville Bypass and 24 hectares to environmental mitigation and 14 hectares to supporting works, a total land take of 64 hectares. This will have a significant and detrimental effect of your Petitioner’s ability to run his business.

3. Your petitioner’s concerns

3.1. Your Petitioner is concerned about the loss of 145 hectares of potential development land between the line and the edge of Aylesbury (24 hectares under his control). This area was, before the publication of the HS2 proposals, favoured by the District Council as the area for the residential expansion of Aylesbury.

3.2. Whilst the proposals for the creation of extensive areas of grassland and wetland habitat are set out in the Environmental Statement, reference is brief (see paragraph 3.4.24 on page 72 of Volume 2 – CFA 11). Furthermore no justification whatsoever is given for the proposals.

3.3. Your Petitioner does not support the grassland habitat creation (CT-06-042-D6,E5,E6,E7,F6,F7). Your Petitioner believes this would degenerate into an unsupervised urban wasteland detracting from the rural character of the area.

3.4. Due to the loss of the Princes Risborough to Aylesbury railway crossing at CT-06-042-G8, there will be increased traffic at crossing CT-06-042-F5 (footpath SMA/16). Your Petitioner requests an access road from (CT-06-042-G4) to railway crossing CT-06-042-F5 (footpath SMA/16). This could help with maintenance of the pump station at (CT-06-042-E5). Your Petitioner requires a railway crossing suitable for agricultural vehicles 10m, wide MGW 44 tonnes to access his land west of the Princes Risborough to Aylesbury railway.
Your Petitioner understands HS2 Ltd has provided an assurance to AVDC that an underpass will be provided for this purpose but this has not been communicated to your Petitioner.

3.5. Your Petitioner does not support a vehicle overbridge providing a realignment of farm access and Footpath SMA/16 (CT-06-042-D8). Objection is taken to the use of the route of Footpath SMA/16 as the construction and maintenance works which will include lorry movements, the creation of dust and noise and, poor air quality will disrupt the operation of neighbouring Standalls Farm and is in excess of 1,300 metres from the public highway.

Your Petitioner respectfully submits that a logical and more efficient route for the access to this pumping station and flood pond would be from the A4010 Stoke Mandeville bypass at the point at which it crosses Footpath SMA/16 and westwards, under the realigned Princes Risborough railway line. This route would be less than half the distance being approximately 560 metres in length see paragraph 3.4.

3.6. Where SMA11 crosses Princes the Risborough to Aylesbury Line (CT-06-041- L1-E3) your Petitioner requires a crossing suitable for agricultural vehicles 10m wide, MGW 44 tonnes to access our holding west of proposed scheme and west of Princes Risborough to Aylesbury Line. Your Petitioner has no alternative means of access to these fields.

3.7. Your Petitioner has agreed a mutual access agreement with his neighbouring landowner in support of paragraph 3.5 and 3.6 subject to an agreement with HS2 Ltd as outlined below.

3.8. Your Petitioner had thought that an agreement had been negotiated with HS2 Ltd covering these various issues (which generate savings in the cost of the railway amounting to many millions of pounds), as reported by Mr T Mould QC to the Select Committee of the House of Commons on 18th November 2015. However, that agreement has not been finalized which has led your Petitioner to submit this further Petition to the House of Lords.

3.9. Your Petitioner believes the access road leaving the A4010 Stoke Mandeville bypass at CT-06-041-L1-G2 should be made suitable for agricultural vehicles 4m wide MGW 44 tonnes.

3.10. Your Petitioner approves of the associated access tracks (CT-06-042-G6,G5,G4) providing access to your Petitioner’s land to the west of the A4010 and balancing ponds. However, access must be suitable for agricultural vehicles 4m wide, MGW 44 tonnes. As agricultural vehicles need to cross the carriageway to access both sides a roundabout should be provided.

Your Petitioner supports the HS2 Ltd suggestion privately (meeting on 9th November 2015) that access from the West of Moat Farm to the A4010 could be provided through access at this junction, however this is yet to be agreed.
3.11. Your Petitioner does not support a replacement floodplain storage area (CT-06-042-H7). Relocation of replacement floodplain storage area will enable realignment of footpath embankment (CT-06-042-H7) minimising land take.

3.12. Your Petitioner does not support the non-use of land north of the A4010 and west of the proposed route (CT-06-041-L1-F1,G1,H1) and suggests creation of woodland habitat as mitigation for hedgerow removal required on your Petitioner’s title.

The severance of agricultural land by such a long linear scheme will result in some of your Petitioner’s 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 is a viable alternative to the additional time, cost and uncertainty suffered by your Petitioner.

3.13. Your Petitioner requires vehicle access to his field immediately west of the Marsh Lane, from the Marsh Lane (CT-06-041-H2). HS2 Ltd suggested privately (meeting on 9th November 2015) that access would be provided but no confirmation has been forthcoming.

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.

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Antony Pearce

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

HL: 650

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Iain Scatter and Patricia Scatter and Clare Smythe

Declares that:
1. The petitioner (‘Your Petitioners’) are specially and directly adversely affected by the whole Bill

2. Your petitioner
Your Petitioners are, Iain Scatter, and Patricia Scatter and Clare Smythe, resident at Crossways, Swan Bottom, The Lee, Great Missenden, HP16 9NH, Buckinghamshire, who 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 Petitioners object for reasons, amongst others, hereinafter appearing.

3. Your Petitioners’ concerns

3.1. Tunnel throughout the Chilterns AONB

Your Petitioners represent a three-generation household all of whom need to cross the line of route and the A413 many times daily, to access work, schools and all other destinations.

Your Petitioners 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.

Your Petitioners are also seriously concerned about the disruptions to their household which will result from the construction of the line, most particularly the problems caused by traffic movements and congestion during what will be a long period of construction. Your Petitioners need to use the narrow lanes and roads which will cross and be affected by the construction of the proposed line and need to use the roads many times daily for access to Great Missenden and Wendover, in particular, for schools (twice daily), access to work, shopping, recreation, medical services and rail, as well as to gain access to the A413 for London and all other areas. Your Petitioners further regard this network of narrow lanes in the AONB as a characteristic feature of the area and are 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 Petitioners are very concerned about the effects of the additional heavy goods vehicle (HGV) and lighter additional traffic, on the A413 and feeder roads, made necessary by the construction of HS2, which are only now made clear following HS2 Ltd's assessment in the Environmental Statement for AP4. The A413 and its junctions with feeder roads, (Frith Hill, Leather Lane, Rocky Lane and the access road to Great Missenden) are already hugely stressed at peak times, as demonstrated in the Environmental Statement for AP4. These peak times are (by definition) when your Petitioners and their family need to access work, school and their various other activities. Your Petitioners' (grand)children's “catchment” school in Great Missenden means that they have no choice but to use and cross the A413 at peak times, at least twice daily in both directions. The expected additional traffic on A413, as a result of construction is expected to have a major adverse affect on the Link Road and Frith Hill A413 roundabouts. Added to the existing, hugely stressed traffic levels, this will result in
completely unacceptable work travel and school-run delays at peak times, and will add delays to every other journey at all times of day.

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 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 Reporting 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 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 MP and Keith Baker MP 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 MP 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 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
i. 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**

Your 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.

Iain Scotter

Patricia Scotter

Clare Smythe

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

17th April 2016
To THE HOUSE OF LORDS

SESSION 2015-2016

PETITION AGAINST

High Speed Rail (London - West Midlands) Bill

THE PETITION OF BALSALL COMMON VILLAGE RESIDENTS ASSOCIATION

DECLARES THAT

1. The Petitioner is specially and directly adversely affected by the whole Bill, particularly Clauses 1 - 3 (Works), Clauses 20 - 24 (Planning), Clauses 25 - 36 (Deregulation), and Clauses 60 and 61 (Deposited plans and sections).

Your Petitioners

2. Your Petitioners are Balsall Common Village Residents Association (hereinafter referred to as your Petitioners), representing over 6500 residents. Its Constitutional objectives being to (a) Preserve and promote the amenities of Balsall Common, and (b) Protect and secure the interests and rights of residents of Balsall Common. Your Petitioners supported the establishment of the Solihull High Speed Rail Consultative Committee, modelled on the Department for Transport’s Airport Consultative Committee format, in November 2011, and participated in all five meetings of the Committee, the last being in July 2012, when its functions were superseded by other local meetings. Your Petitioners were invited to attend, and were active participants in, the six rounds of Community Forum meetings arranged by HS2 Ltd between March 2012 and September 2013, and the regular meetings of the Solihull Metropolitan Borough Council HS2 Working Party and relevant meetings of the full Council and its Scrutiny Board.

3. The Village of Balsall Common is situated in the rural area between the major conurbations of Birmingham and Coventry. This area of Greenbelt is known as the Meriden Gap, whose preservation has been a cornerstone of regional planning policy for decades. Your Petitioners are greatly disappointed that this confined strip of open Arden landscape has been selected as the preferred route for the scheme, thus jeopardising the continued viability of the Gap. The Village is also directly impacted by one of the major works for the proposed railway, and will suffer major inconvenience, damage, and loss during the construction phase; and afterwards will be harmed by the long term environmental damage and loss of amenity arising from the scheme. Your Petitioners believe the route would not have been chosen had proper account been taken of the injurious affects on the rights, interests, and property of our residents.

Your Petitioners’ concerns

4. Your Petitioners are concerned over the Bill and is unable to support it in its current form. Your Petitioners take objection to the part of the works and the provisions of the Bill
that are injurious to our residents, as set out in the paragraphs following these introductory remarks.

**Petitioners' proposal for a tunnel at Balsall Common**

5. It is generally accepted that placing the proposed railway in a tunnel would reduce many harms of the kinds detailed in this Petition. Although construction costs would increase, the cost-benefit balance may be favourable when the harms are fully accounted for. Your Petitioners believe a cost-benefit analysis would favour a deep-bored tunnel starting to the south of our area at Burton Green in Warwickshire, and continuing through the high ground at Balsall Common to avoid the viaduct across the existing Rugby and Birmingham Railway line. Despite repeated requests the Promoter has failed to produce a cost-benefit analysis of a tunnel. Accordingly, your Petitioners seek an undertaking from the Promoter that the railway, comprising Work No. 2/146 and Work No. 3/1, will be placed in a tunnel from Burton Green to a northern portal in a location chosen to minimise the local environmental impact, that corresponding changes will be made to all the subsidiary Works, and that the relevant Plans and Sections will be amended accordingly.

**Concerns near Berkswell Station**

6. The height of the proposed Balsall Common Viaduct on Work No. 3/1 will cause major visual intrusion in the area around Truggist Lane. The Promoter proposes that the elevation of the rails above Truggist Lane would be 9.51 m, to which must be added the height of the noise barriers and overhead line equipment. Your Petitioners seek an undertaking from the Promoter that the visual impact of the viaduct and noise barriers will be reduced by using a through-truss structural design with integral side walls above the tracks rather than a box structure beneath them.

7. It is anticipated that substantial barriers will be needed to contain the noise radiated by trains on the proposed Balsall Common Viaduct, and these would add to the intrusion of the structure at this critical "gateway" location on the edge of Balsall Common. Your Petitioners seek an undertaking from the Promoter that the architectural design of the Balsall Common Viaduct, its noise barriers and overhead line equipment, will be of a high standard, and that the design will harmonise with the locality and be subject to the approval of local councils and amenity groups.

8. Your Petitioners note that the Promoter has made no clear statement about the noise attenuation that will be achieved by the noise barriers on the elevated section of Work No. 3/1 comprising the Balsall Common Viaduct, Beechwood Embankment, and Rail Underbridge. There are residential and commercial properties nearby on both sides of the proposed railway along Truggist Lane and Station Road, and the area is used for recreational activities and agriculture. Your Petitioners seek an undertaking from the Promoter that noise barriers will be provided along both sides of the Balsall Common Viaduct and Beechwood Embankment to ensure that the maximum noise level from the passage of a train will not exceed 60 dBA at a distance of 200 metres from the line, and that properties exposed to a higher noise level will be provided with sound insulation and air-conditioning to reduce the interior maximum noise level from the passage of a train to no more than 45 dBA.
9. Your Petitioners are concerned that outdoor activities at commercial premises near the proposed Balsall Common Viaduct, such as the Royal British Legion, the Fisheries, and the Railway Inn, would be disrupted by high noise levels from the proposed railway. Your Petitioners seek an undertaking from the Promoter that noise barriers will be provided around areas where there is outdoor seating at the locations, if requested by the proprietors, and that the provided noise barriers will be adequate to reduce noise levels to meet the recommendations of the World Health organisation for rapid-onset noise.

10. It appears to your Petitioners that the proposed Balsall Common Viaduct and adjacent embanked sections of Work No. 3/1 could block or distort electromagnetic signals, particularly those in the UHF band used for television, mobile telephones, and navigation. Residents, businesses, and service providers would suffer inconvenience, hazard, and expense if signals were blocked or distorted. The Promoter has failed to assess whether the elevated railway would interfere with radio signals, nor considered whether extra repeater stations would be needed, nor where they would be located. Your Petitioners seek an undertaking from the Promoter that a prompt and proper investigation of the potential blockage of UHF signals will be carried out, that all necessary powers and funding will be provided for installing additional antennas or other means to restore full service, and that these additional devices will be attached to the elevated structures in order to reduce the impact on the landscape.

11. Residents note that the Promoter is seeking powers to create a route through Berkswell Station car park and onto the Kenilworth Greenway for construction traffic, and to retain this route after construction for the use of maintenance traffic. Your Petitioners seek an undertaking from the Promoter that a Public Bridleway will be created on the maintenance access track for the proposed railway through Berkswell Station car park and the station yard to access the Greenway linear park.

Concerns in Balsall Common

12. Our residents are deeply concerned by the Promoter's intention to use the A452 through the centre of Balsall Common for construction traffic. This main through route passes through the centre of the village, and past a major school. It is already over-used by Heavy Goods Vehicles, being a connecting trunk road and emergency route when problems arise on the M40, M42 and M6 motorways. Additional HGV traffic of up to 500 vehicle movements a day during the construction phase will cause serious disturbance, inconvenience, economic loss, hazards and pollution health risks for residents, schoolchildren, existing users, and local businesses. Furthermore, the Promoter has not taken into account the additional 130 dwellings currently under construction along this bust stretch of the A452 in Balsall Common. Disruption to all forms of local transport for up to 6 years is unacceptable. The most effective way to reduce the impact of construction work would be to adopt the tunnel requested in paragraph 5.

13. The Promoter intends to use Hallmeadow Road, Station Road, narrow country lanes and the car park at Berkswell Station for construction traffic. Your Petitioners contend that this would cause considerable inconvenience and economic loss for residents, local businesses, and passengers on existing rail services. In addition, heavy construction trucks would cause safety hazards, noise, and degrade air quality with fumes and dust, causing
health risks. The inconvenience caused by the loss of parking space at the station would be compounded by the traffic increase in Hallmeadow Road, which is already used for over-flow parking for the station. Your Petitioners seek an undertaking from the Promoter that the nominated undertaker will be required to use other routes and means instead of Hallmeadow Road, Station Road, and Berkswell Station for the transport of construction equipment and materials, other than in exceptional circumstances.

**Petitioners' proposal for a green tunnel in Berkswell Park**

14. The quality of life enjoyed by our residents is affected to a large degree by the rural amenity of adjacent areas. Our residents are greatly concerned by the impact of the proposed railway on the landscape, rural economy, public rights of way, ecology, and hydrology of the area around Balsall Common. Your Petitioners would welcome any detail measures to reduce the harms that could be caused by the proposed railway, Work No. 3/1, but would also assert that as much as possible of the route should be placed in cutting or tunnel.

**Concerns about the Kenilworth Greenway**

15. Your Petitioners draw attention to the great value of the Kenilworth Greenway to our residents and many others. The Greenway is a linear park and a major recreational resource for walkers, cyclists, horse riders, joggers, naturalists and photographers. The Promoter proposes to use the Greenway for heavy vehicles during construction of the proposed railway, and then attempt to reinstate it to its original condition. However, your Petitioners fear that there will be irreparable damage to the structure, drainage system, culverts, embankments, flora, and fauna. The community would experience major inconvenience and loss of amenity. A temporary parallel haul route should be created and used instead. Your Petitioners seek an undertaking from the Promoter that the Kenilworth Greenway will not be used for construction traffic other than in exceptional circumstances, and that a clear specification for restoration works and replanting will be agreed with the Greenway Trust, local councils and amenity groups.

16. There is considerable concern that the temporary use of the Kenilworth Greenway by construction traffic during the construction phase could lead to the unnecessary felling of trees along the Greenway. Because of the length of time taken for trees to reach maturity, there would be significant loss of landscape amenity if trees are felled or damaged. Your Petitioners seek an undertaking from the Promoter that the felling of mature trees along the Kenilworth Greenway will only take place if essential for the passage of equipment, that the root systems of all the Greenway trees will be effectively protected throughout the construction operations, that damaged or felled trees will be replaced early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance of replacement trees.

17. It is of great importance to our residents that the Kenilworth Greenway and the rerouted substitute section, Work No. 2/182, are reinstated in a way that restores and mimics the original ambience. The essential character of the Greenway is the product of decades of naturalisation of the old man-made rail-bed. The Promoter has given no clear specification for the foliage to be planted along the whole length of the Greenway and its substitute. It is
imperative that the noise barriers are screened from view, and your Petitioners seek an undertaking from the Promoter that the original part of the Greenway and Work No. 2/182 will be planted on both sides with native tree species to reproduce the original ambience, that the trees and shrubs will be of sufficient height and density to screen the noise barriers, that additional land will be allocated for this purpose if required, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide on-going care and maintenance.

18. The Promoter proposes to replace more than 1.5 kilometres of the Kenilworth Greenway with a substitute route, Work No. 2/182. Whereas the existing bridle- and cycle-way runs in a cutting, the new route would run on higher ground above the cutting of the proposed railway, Work No. 2/146. The new route would join the original cutting with ramps at Little Bean it Farm and at Burton Green, the height difference being 5 metres and 10 metres respectively. The Promoter proposes that the ramps would have a gradient of 10%. This would be unsafe and unsuitable for the full range of users. The surface on the steep gradients will experience wear and erosion at a higher rate than the existing surface, and thereby require greater maintenance and repair. Your Petitioners seek an undertaking from the Promoter that the transition gradients will be reduced to no more than 5% and that future operators of the proposed railway will be obliged by contract to pay the owners of the Greenway any costs involved in keeping the ramps in good condition.

General concerns about Environmental Health in the construction phase

19. Your Petitioners note that the Bill and the Code of Construction Practice would confer powers on the Secretary of State and Local Planning Authorities for the summary approval of a wide range of matters relating to the construction of the proposed scheme. There is extensive concern amongst residents that there is no requirement for the nominated undertaker and its contractors to enquire about the effects of the proposed Works on local people, and to stop, delay, or amend activities to reduce injurious effects to the lowest practicable level through a process of negotiation with local councils, residents and amenity groups. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice to ensure that the nominated undertaker and its contractors will engage with these bodies, attend meetings, will make available the general work plan, and will give the relevant bodies 28 clear days notice of works before their commencement, to allow time for representations to be made.

20. Your Petitioners believe that the arrangement proposed by the Promoter in the Code of Construction Practice, whereby the nominated undertaker would be responsible for both the delivery and the enforcement of proper conduct by the nominated undertaker's contractors and sub-contractors, implies a conflict of interest and is inadequate. Weakness and delay in the enforcement of matters relating to Environmental Health would cause inconvenience, injury, and loss to the residents of our area. Example issues in this category are dust, artificial lighting, noise, mud on roads, screening of worksites, location of construction compounds, designation of routes for construction traffic, traffic congestion, and hours of work. Your Petitioners have noted the dissatisfaction of residents with the regulation and enforcement exerted by our local authority, Solihull Metropolitan Borough Council, where quite minor works have been allowed to cause unnecessary inconvenience and disturbance, and residents have been told "You' ll get used to it". As a result, your
Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would empower local parish and town councils to employ jointly an Environmental Health Officer, for the duration of the works, with the power to suspend works, should agreed control measures be breached, and until more rigorous measures have been put in place, and your Petitioners seek an undertaking from the Promoter that all costs arising from the employment of such an Environmental Health Officer will be met by the nominated undertaker.

21. It is of great importance to our residents that the Works permitted by the Bill are carried out with the best possible regard for their rights and well-being. A major consideration is the avoidance of disturbance at unsocial times of day. Your Petitioners recognise that construction work is inherently disturbing, and that some activities need to be continued outside core hours. However, the measures proposed by the Promoter are far too loose, and your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would restrict start-up and close-down periods to 30 minutes to prevent abuse of the system, that would require local approval through the engagement process requested in paragraph 19 for activities outside core hours likely to cause undue disturbance through noise, vibration, traffic, dust, fumes, or lighting, that such work would be justified by the use of major plant or the need to avoid day-time disruption, that detailed applications for such works would be made 14 days in advance, and that Bank Holidays would be treated the same as Sundays.

22. Your Petitioners are concerned by the potential intrusion, disruption, and loss to property that could arise from inadequate site management and inappropriate choice of work sites, material dumps, and traffic routes. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require work areas to be set up, maintained, operated, cleared, and reinstated to the satisfaction of the local community through the engagement process requested in paragraph 19, with regard especially to the mitigation of visual intrusion, protection and insulation from noise and vibration, and the positioning of vehicle routes.

23. Dust and emissions generated by the proposed construction works could injure the amenity, health, and property of residents, farmers, and businesses (particularly those with outdoor displays). Your Petitioners are aware of the damage caused by dust problems during the construction of the Channel Tunnel Rail Link, and have drawn attention elsewhere in this petition to the inappropriate location of dust sources proposed by the Promoter. During construction, air quality will be degraded causing a real hazard to health. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require the regulation and protection of air quality through the engagement process requested in paragraph 19, that would establish objective control measures for enforcement by the Environmental Health Officers, that would apply the requirements in the NPPF Technical Guidance for Minerals, issued by the Department for Communities and Local Government in March 2012.

24. Intrusive noise from the construction works will be very disturbing for residents, businesses, and livestock. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require the application of Section 61 of
the Control of Pollution Act 1974, the approval of intrusive activities through the
engagement process requested in paragraph 19, the provision by the nominated undertaker
of noise insulation for adjacent properties whenever continuous-equivalent noise levels of
50 dBA and above at the receptor are predicted, and the application of "Best Practicable
Means" criteria when considering methods of reducing noise disturbance.

25. Your Petitioners are concerned that during the construction phase, high-intensity
lighting would be used during night working, and that this would be very disruptive for
residents, particularly when used on elevated sections of the route. Your Petitioners seek
amendments to the Code of Construction Practice that would require strict guidelines and
control criteria, as well as the regulation of working outside core hours as requested in
paragraph 2121.

26. The prospective influx of migrant construction workers into the Village has raised
concerns about the maintenance of law and order, as the existing police force may prove to
be insufficient. Your Petitioners seek amendments to the Code of Construction Practice that
would require the nominated undertaker and its contractors to be responsible for providing
security staff to maintain good order in and around camp sites and work sites to the
satisfaction of the local council and local amenity groups.

General concerns about Highways in the construction phase

27. Our residents and local businesses will suffer inconvenience and financial loss from
the closure and diversion of roads, bridleways, and footpaths, and from the additional and
diverted traffic on the routes that remain open. This will affect public transport, commuters,
delivery vehicles, utility vehicles, emergency services, farm traffic, and recreation, with a
particular impact on businesses that use the roads as part of their activities, such as taxis and
hire cars, driver training, and horse riding establishments. Many residents travel daily from
Balsall Common to neighbouring cities and towns for employment education and recreation,
and will be severely affected during the construction phase. Your Petitioners seek
amendments to the Code of Construction Practice that would require the nominated
undertaker and its contractors to give 28 clear days advance notification of proposed heavy
construction traffic flows, route closures, traffic control measures, and diversions, through
the community engagement process requested in paragraph 19, together with publicity in a
form comprehensible to all users.

28. The disruption, inconvenience and loss discussed in paragraph 27 has not been
estimated fully by the Promoter, as assessments have been restricted to peak hours, though
disruption will occur throughout the day. Your Petitioners seek amendments to the Code of
Construction Practice that would require the nominated undertaker and its contractors to
apply for the closure or diversion of carriageways, bridleways, and footpaths through the
community engagement process requested in paragraph 19, that would give the relevant
parish or town council the right to refuse permission for route closures and diversions, that
would empower the relevant parish or town council to regulate the time of day when heavy
traffic flows and traffic control measures would be allowed, and that would require a clear
procedure to ensure closures, diversions, and restrictions are properly coordinated and well
signed.
General concerns about Agriculture and Ecology in the construction phase

29. As with matters of Environmental Health considered in paragraph 20, your Petitioners believe that the proposals in the Code of Construction Practice for enforcement of measures to protect agriculture, ecology, and the natural environment, during the construction of the scheme, are inadequate. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would empower local parish and town councils to employ jointly an Ecological Officer, for the duration of the works, with the power to suspend works, should agreed control measures be breached, and until more rigorous measures have been put in place, and your Petitioners seek an undertaking from the Promoter that all costs arising from the employment of such an Ecological Officer will be met by the nominated undertaker.

30. Your Petitioners would draw attention to the substantial risk to the environment from spillages of oil, fuel, fluids and other materials from vehicles, machinery, and fixed installations, and to the harm that would be caused by contaminated run-off into the water system and by residues left on land that is returned to agriculture. Your Petitioners seek amendments to the Code of Construction Practice that would require the application of strict control measures to the latest standards.

31. Your Petitioners consider that the significant lengths of embankments and deep cuttings in the proposed Works will have a serious impact on drainage and ground water, with implications on residential, commercial, and agricultural land use. The Promoter has not set out a procedure for reviewing hydrological issues during the groundworks. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require the on-site identification of the exposed strata and hydraulic modelling to determine appropriate mitigation, and that would require the Promoter to establish a committee to review hydrological findings on a monthly basis and ensure corrective actions are carried out.

Restoration of the agricultural landscape after construction of the scheme

32. Your Petitioners wish to draw attention to the large-scale temporary use of agricultural land during the construction phase of the proposed works. The Promoter proposes to occupy very substantial areas of agricultural and forestry land for spoil heaps, work camps, and other purposes. Your Petitioners seek an undertaking from the Promoter that these areas within the Meriden Gap Greenbelt are returned to their original condition and will comply with the Standard for Farmland Remediation, that field drains will be restored, and that land occupiers will be fully compensated for any failure to do this work correctly and promptly.

33. Your Petitioners are concerned that in the assessment made by the Promoter of the effect of the proposed scheme on the landscape, no account was taken of the consequential effects of the economic damage done to agricultural businesses during the construction phase and potential loss of the Meriden Gap Greenbelt. Your Petitioners seek an undertaking from the Promoter that an agency will be created, together with a compensation scheme, to stimulate the amalgamation of uneconomic agricultural land fragments into viable holdings.
34. Your Petitioners are also concerned that the temporary use of land during the construction phase of the scheme would be used as an argument to circumvent Greenbelt and spatial planning guidance and plans. Your Petitioners seek amendments to the Bill to disallow temporary use of the land during construction of the scheme as a material consideration in the determination of future Local Plans, Greenbelt boundaries, and planning applications, and to prohibit any change of use from agriculture for a period of 5 years after the land has been restored and returned to agricultural production.

**Restoration of ecology after construction of the scheme**

35. Your Petitioners note that a wide range of measures for ecological compensation has been offered by the Promoter, but there is a lack of firm action plans and clear standards. Your Petitioners seek an undertaking from the Promoter that the implementation and monitoring of bio-system replacement will be done to a high uniform standard throughout the proposed scheme, that the Promoter will follow the guidance in the National Planning Policy Framework and seek to improve the natural environment, that there will be compliance with the European Environmental Impact Assessment criteria, the UK Chartered Institute of Ecology and Environmental Management standards, and British Standard BS 8545 "Trees: from nursery to independence in the landscape", and that the creation of alternative habitats and translocation of species will be commenced as soon as reasonably practicable.

36. Trees are critical features in the landscape and need long-term planning and care due to their slow growth rate. Your Petitioners seek an undertaking from the Promoter that where tree planting is to be used as an offset, a replacement ratio of 5-for-1 will be used in order to ensure satisfactory replacement, and that advice from the relevant parish and town councils and local interest groups on species and locations will be heeded.

37. It is noted that the proposed Works will entail damage or removal of ancient hedgerows throughout our area, with serious implications for the complete ecosystems to which they give shelter. Your Petitioners note the intention to plant substitute lengths of hedging, but seek an undertaking from the Promoter that the replacement hedges will be planted and nurtured to maturity in appropriate locations, using species that are similar to those displaced, and that the overall scheme of planting will provide a quantity and quality of habitats equivalent to those that have been lost.

**General concerns during operation of the scheme**

38. Our residents are conscious that the proposed "Parkway" station at Middle Bickenhill is reliant on a large increase in road traffic travelling to the station, much of which will travel through Balsall Common, and your Petitioners fear that there will be deterioration in air quality and damage to road surface. This would contribute to the nuisance and loss of property value that might befall residents. Your Petitioners seek an undertaking from the Promoter that there will be benchmarking of air quality prior to construction, and an extended programme to monitor the air quality in locations likely to be affected by pollution from increased or changed traffic flows, particularly outside of the school on the A452, and that the results of such monitoring will be taken into account in a scheme to compensate residents for nuisance and blight.
39. Your Petitioners are also concerned by a potential deterioration of air quality due to maintenance activities that would be required when the proposed railway becomes operational. Your Petitioners seek an undertaking from the Promoter that there will be a robust system of monitoring so that control measures can be developed.

40. The Promoter proposes that all maintenance work on the railway will be done at night, with the potential for disturbing residents with high-intensity lighting. Your Petitioners seek an undertaking from the Promoter that the operators of the railway will be required to reduce light pollution from maintenance works to the practicable minimum, that no light source will be mounted higher than the adjacent noise wall.

41. The noise caused by night maintenance is also a major concern for our residents. Processes to maintain track alignment and quality will be required frequently, and are known to be noisy. There will also be vehicle movements and the handling of heavy loads. Your Petitioners seek an undertaking from the Promoter that the operators of the railway will be required to keep noise barriers in place during maintenance work, and that residential properties will not be exposed to a nocturnal maximum noise level greater than 60 dBA or a continuous-equivalent noise level greater than 40 dBA.

42. Your Petitioners are disappointed that the Promoter has failed to offer any system to regulate operational noise and vibration levels from the trains. The desire to operate the railway at up to 400 km/hour has dominated the choice of route and the design of the proposed works. Nonetheless, the Promoter has taken no steps to demonstrate what disturbance this would cause to residents, visitors, businesses, and animals close to the proposed route, nor has the Promoter done any development work to reduce the noise generated by the trains to the lowest practicable level, and nor has the Promoter conducted any trials to prove the level of mitigation that might be afforded by various measures. Having considered the recommendations of the World Health Organisation, your Petitioners would consider that maximum outdoor noise levels of 60 dBA at 200 metres from the line, and 76 dBA at 25 metres from the line, would meet current expectations. Your Petitioners seek an undertaking from the Promoter that a mandatory maximum noise limit from the passage of a single train under standardised conditions will be set, that fixed noise monitoring stations will be installed and operated at regular intervals along the route, and that a community penalty charge will be exacted on the operator of any train that fails to comply with the noise limit.

43. It appears to your Petitioners that there should be financial incentives to encourage the operator of the railway to comply with control limits on noise, emissions, pollution, and other nuisances. A system of penalty charges has been used for many years to provide incentives to meet aviation noise limits. Your Petitioners seek an undertaking from the Promoter that future operators of the proposed railway will be obliged by contract to pay penalty charges, after impartial adjudication, for infractions of control limits placed on noise, emissions, pollution, and other nuisances into a fund for the benefit of affected communities, such as that proposed in paragraph 58.

44. It is expected that long-term ecological monitoring would identify the need for restorative or corrective measures to bring the environmental outcomes closer to that which
was intended and authorised. Your Petitioners seek an undertaking from the Promoter that future operators of the proposed railway will be obliged by contract to provide funding for, and to take, restorative ecological measures, when adverse affects appear to be developing.

45. Residents are disappointed that no compensation has been offered to local communities, as a whole, for the general loss of public amenity and facilities such as open space, landscape quality, rural peace, and Public Rights of Way. Your Petitioners believe there should be an enduring and robust form of community compensation, which would distribute funds from the eventual operators of the proposed railway to community projects. A similar scheme has been operated successfully for many years by Birmingham Airport, and was agreed prior to the construction of HS1. Your Petitioners seek an undertaking from the Promoter that future operators of the proposed railway will be required by contract to maintain a Local Community Fund to support community projects in the areas of Solihull Borough that would be adversely affected by the proposed railway, that the fund will be administered by a committee drawn from local parish and town councils, residents groups and other relevant bodies, that the operator of the railway will be obliged by contract to contribute £100,000 annually to the fund, and that the Fund will receive the proceeds from any penalty charges imposed for exceeding environmental limits.

46. Users of public transport within our area are concerned that the operation of the proposed railway will impose a further financial burden on the local system of public transport. The West Midlands Integrated Transport Authority, Centro, is already making cutbacks, and your Petitioners are aware that the Promoter proposes significant cuts in the services on the current mainline in order to help pay for those on the proposed railway. Your Petitioners seek an undertaking from the Promoter that no costs arising from any element of the proposed high-speed railway will devolve onto the local community or onto Centro, to avoid any detriment to the great majority of public transport users.

47. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended and undertakings given as proposed above, the provisions of the Bill, so far affecting your Petitioners, should not be allowed to pass into law.

48. There are other clauses and provisions in the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, (including their human rights) interests and property and for which no provision is made to protect your Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.
The Prayer

The Petitioners 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 Petitioners remain, etc.

Keith Alan Tindall
Chairman
Balsall Common Village Residents Association

Richard Anthony Lloyd
Agent
15th April 2016
To the House of Lords  
Session 2015–16

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

THE PETITION OF Rosemary Jeannette Batten

Declarers that:

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

2. Your Petitioner

Your Petitioners is, Rosemary Jeannette Batten a resident at Saddlers, Swan Bottom, The Lee, Great Missenden, Buckinghamshire HP16 9NH, 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.

3. Your Petitioner’s concerns

3.1. Tunnel throughout the Chilterns AONB

Your Petitioner as a resident of this part of the AONB is 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 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 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.
Your petitioner is also seriously concerned about the disruptions to her household which will result from the construction of the line and the dust, noise, hours of work, traffic movements, congestion and access problems and other implications during what will be a long period of construction. 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 Great Missenden and Wendover, 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.

3.2. Your Petitioner accordingly emphasises 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 Petitioner requests 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.
(c) 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 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.

(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 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 0930 and 1530 hours throughout this section of the AONB, 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 0800 and 0900 hours and between 1500 and 1530 hours 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

Your 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 Your Petitioner will ever pray, etc.

Rosemary Jeannette Batten

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

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF ELLESBOROUGH PARISH COUNCIL

Declares that:

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

2. The petitioner is Ellesborough Parish Council, whose parish, parishioners and their property, the Bill may specially and directly affect.

3. Your petitioner’s concerns are that HS2 will directly affect parishioners because of the noise of the passing trains, it will make a significant visual impact on an Area of Outstanding Natural Beauty and the proposed maintenance loops will further aggravate this. Moreover, the construction phase of the proposed railway will cause considerable traffic disruption within the parish.

3.1. Background. The Parish of Ellesborough is very rural, set in the Chilterns and its Area of Outstanding Natural Beauty (AONB). Within the parish there are 2 significant hills, Coombe Hill, on which there is a memorial to the Great War, which gives views over the whole of the Vale of Aylesbury, and nearby is Beacon Hill which as its name implies is visible from a large area of the surrounding countryside. Because of the views, the area is very popular with walkers but a further attraction is the Chequers Estate, which is the country residence of the Prime Minister. The proposed HS2 railway line will pass through the eastern corner of the parish directly below Coombe Hill, blighting the views from this popular spot.

3.2. The main industry within the parish is agriculture and there is no real centre of population. Within Ellesborough, the houses are widely spread along the roads which lead from Butlers Cross and there are other small clusters of houses at Terrick and Dunsmore. There are some 680 persons on the electoral role and the Parish Council has been elected to represent the people of the parish. In carrying out this duty, the Parish Council has been represented at the various HS2 meetings held for the HS2 Community Forum Areas (CFAs) 10 and 11 reflecting the views of the parishioners. The Parish Council has also submitted responses to the public consultations and the Environmental Statement.

3.3. The petitioner understands that until full geological and hydrological surveys have been carried out, HS2 is unable to define exactly the position of the tunnel adjacent to Wendover. Consequently, we are unable to specify exactly which properties within the parish will be seriously affected by the line. However, what is certain is that regardless of the alignment, some properties within the parish will be adjacent to the line and large areas of prime agricultural land will be permanently lost, with some farms becoming too small to be viable, and others having their land split in two making management very difficult. Apart from those properties which will be adjacent to the line, the remainder of the parish will be affected by noise and light pollution not only during the construction of the line, but also for the operation. Roads within the parish will be affected during the construction phase not only because of the increased traffic, but also because they will have to be closed
and re-routed. Lastly, the line will have considerable adverse effect on the views from the local hills.

3.4. Your Petitioner and his interests are injuriously affected by the Bill, to which your Petitioner objects for the following reasons. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken between Wendover and Stoke Mandeville. The works, which will have a considerable effect on the Parish of Ellesborough, consist of the termination of the tunnel as the line comes to the surface on the south side of Wendover and the maintenance loops adjacent to Nash Lee.

3.5. Your Petitioner's objectives in looking at the operation of HS2 are to persuade your Honourable House to protect the resident's current enjoyment of the Chilterns, an Area of Outstanding Natural Beauty, and protect Wendover town as a social and commercial community centre for people of this parish by lowering the line significantly as it passes through the area.

3.6. Your Petitioner's concerns during the construction process of the scheduled works are varied and relate to the direct impact those works will have on people living in Ellesborough Parish. The parishioners rely on Wendover for the provision of health services and all normal amenities. During the construction phase access to Wendover will be seriously disrupted as the line cuts directly between the Parish and Wendover and the connecting roads will be the subject of major works to realign them and at times will be closed altogether. Similar disruption will occur to the footpaths in the parish and particularly those linking the parish to Wendover.

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

3.7.1. Increased traffic on the roads within the parish, but of particular concern is the junction of the B4009 Nash Lee Road, with the A4010 at the Terrick roundabout. This pinch point already has traffic queues at peak hours and additional construction traffic can only make the situation worse. However, of particular concern are the emergency vehicles that frequently use this route moving patients between the Stoke Mandeville and High Wycombe hospitals.

3.7.2. Your Petitioner is concerned that the proposed Construction Code of Practice (COCP) is not legally enforceable and, therefore, the contractors will ignore it to the detriment of the people of Ellesborough. In addition, the self-policing of this by the contractors may lead to many breaches with serious consequences on the Petitioner, but no penalty to the contractor. Moreover, your Petitioner is concerned that the ‘undertaker’ has no legal duty to ensure they deliver the undertakings and has no legal powers to ensure that the contractor does what is promised.

3.7.3. Your Petitioner is concerned that because no proper hydrological survey has been carried out, the construction of HS2 is likely to have a detrimental effect on the springs and aquifers that feed water into various springs and streams in the area and in particular the stream that feeds the Tring summit of the Grand Union Canal via the Wendover Arm. The canal already suffers from a shortage of water and if HS2 affects the supply there is no alternative method of supplying the summit will have to be found.
3.8. **Problems caused by the operation of HS2.** Your Petitioner is of the opinion that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects:

3.8.1. Your Petitioner’s view of the Vale of Aylesbury would be permanently and detrimentally altered by the railway line and its obtrusive catenary system of supports and cables. This will be made much worse because of the need to use larger supports to span the maintenance loops which will be in full view from Coombe Hill. Moreover, the new bridge necessary to take the line over the B4009 will be very obtrusive when viewed from Coombe Hill. Furthermore, in an area where street lighting is kept to a minimum (Ellesborough has no street lighting) not only will the daylight view be spoiled, but the night view will also be ruined because of light pollution from the maintenance loops.

3.8.2. Your Petitioner’s enjoyment of the Chiltern Hills will be permanently damaged by noise pollution. With high speed trains passing every 2 to 3 minutes during the day and the track being used by freight trains at night, the noise intrusion will be considerable especially because the parish is a quiet rural one. As such, noise is very apparent especially in the evenings and even now trains on the existing tracks can easily be heard throughout the parish. The noise from HS2 operations will have a very detrimental effect on parishioners. No longer will their gardens be areas of peace and in the summer with windows open, the night-time noise is likely to cause health problems because of interrupted sleep patterns.

3.8.3. Your Petitioner is very concerned that HS2 Ltd and the Department of Transport only say that they “plan to achieve” World Health Organisation targets for noise levels at set distances from the track. This is not acceptable where the permanent noise pollution of Ellesborough Parish is concerned. The targets must be met and plans put in place to ensure that they are. Moreover, during the petition to the House of Commons, the Petitioner was privileged to hear from 2 expert witnesses on noise pollution arguing about noise levels. However, both of them came up with a significant comment to the effect that the type of noise has a tremendous effect on its intrusion. The petitioner believes that in the very quiet rural area of our parish, the noise levels are irrelevant as any noise which can be heard over and above the normal background noise will be obtrusive and ruin the lives of many future generations of our parishioners.

3.8.4. Your Petitioner is concerned about the negative effect that the scheme will have on the area. Residential properties have already become more difficult to sell and prices have already been reduced by the threat of HS2. The likely reduction in visitor numbers will have an effect on local shops and businesses. In these times of financial constraint, any alteration to the socio-economic balance of the area may reduce the viability of local shops and businesses to the detriment of the local populace.

3.8.5. Your Petitioner is very concerned about the decision to put the Maintenance Loops between Nash Lee and Stoke Mandeville. To cope with the increased width of the line, the gantries supporting the catenary system will have to be much larger and hence more obtrusive. The points will mean an increase in the noise from trains passing over them and the 2 loops will be required to be lit at night.
considerably increasing the amount of light pollution in the area. Furthermore, effectively doubling the width of the line means that more prime agricultural land will be permanently lost. For all of these reasons the Petitioner considers that having these loops in this area is inappropriate. They should be moved to an area where they will be less obtrusive and have a reduced effect on the environment.

3.8.6. Your Petitioner is concerned that because there is no plan for a station in the area, the parishioners of Ellesborough will derive no benefit at all from HS2. They are being asked to fund something that will cause them serious disruption during the construction phase and then during its operation permanently blight their lives and those of future generations.

3.9. **Mitigation of the Construction Impacts of HS2.**

3.9.1. To reduce the effect of construction traffic on the local area your Petitioner requests that a traffic management plan covering the number of vehicles, operating times and routes, be produced and agreed by all the affected parties including our adjacent parish councils. With the planned increase in traffic levels, your Petitioner requests that additional funding should be made available to the Thames Valley Police Authority from HS2 Ltd for additional staff to cope with traffic management in the area. Moreover, in order to limit the number of HGVs using local roads, your Petitioner requests that HS2 be directed to use the Chiltern Railway to transport materials and spoil in and out of the area. In addition, HS2 Ltd should not be allowed to dump spoil in the Chilterns’ AONB.

3.9.2. The Terrick roundabout which is where the B4009 Nash Lee Road, and Chalkshire Road meet with the A4010 has been identified as a traffic pinch point. The petitioner and its parishioners already know that there are traffic queues at the roundabout at peak times. Moreover, any incident in the local area which diverts traffic from its normal route, results in serious congestion at the roundabout. The petitioner requests that HS2 Ltd reroute the B4009 away from the roundabout and create a new junction to the west where the proposed Stoke Mandeville bypass will start. This will be the only benefit that HS2 will bring to the petitioner and its parishioners who will have to bear significant hardship during the construction of HS2 and then be subjected to its effects for years to come.

3.9.3. Your Petitioner requests that additional funding is made available for both the local GP service at Wendover Health Centre and for Stoke Mandeville Hospital A&E department to cater for the additional workload that will arise due to the construction workforce located in the area.

3.9.4. Your Petitioner requests 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 allowed for start-up and close down. In the case of tunnelling we accept that there may be a need for longer working hours. However, once work is in progress, the Petitioner requests that the need to minimise noise and disturbance is fully implemented to the satisfaction of the Parish Council.

3.9.5. Your Petitioner requests that no relaxation of noise regulations be allowed and that HS2 be bound by the directives made by Environmental Health Officers.

3.9.6. Your Petitioner requests that the use of lighting at construction areas be limited to working hours.
3.9.7. Your Petitioner requests that if for whatever reason, the flow of water into the Wendover Arm of the Grand Union Canal is reduced as a result of the construction works, that HS2 be liable for all the costs of any remedial work necessary to ensure the supply of an adequate amount of water to the Tring summit.

3.10. Mitigation of the Operation of HS2

3.10.1. Your Petitioner considers that the case for the siting of Maintenance Loops between Nash Lee and Stoke Mandeville has not been made. HS2 Ltd, have stated there is a need for loops every 60 km’s. However, HS2 has not produced any justification for this statement. Moreover, by removing the requirement for the loops there is a cost saving of some £10m to be made. Even if HS2 Ltd, can demonstrate a maintenance strategy which calls for maintenance loops then a saving could still be achieved by locating it at Calvert (27km’s away) or Old Oak Common – well within the guidelines they have set. The maintenance loops will have a detrimental visual effect on the local area because of the increased width of the track, the larger pylons for the catenary system, light pollution and the increase in noise from the points. All of these reasons combine to make Ellesborough the most unsuitable place to position the maintenance loops and the Petitioner requests the HS2 make arrangements to either remove them from the project or to site them elsewhere.

3.10.2. HS2 Ltd has proposed noise mitigation plans for Wendover consisting of 6m and 4m high noise abatement barriers which themselves will be an eyesore in the AONB. The petitioner proposes that HS2 should consider lowering the level of the line as it passes Wendover, Ellesborough and Stoke Mandeville. The line is already in a tunnel as far as Wendover, and lowering it would mean that the viaduct at the southern end of the tunnel would not be necessary and the visual impact of the line from the Chiltern Hills and the settlement of Dunsmore in the parish would be considerably reduced. At the northern end where the line will be particularly visible from Coombe Hill, again the visual impact would be much reduced, but also the noise pollution throughout the parish and in the adjacent towns of Wendover and Stoke Mandeville would be considerably reduced. Furthermore, by putting the tunnel deeper underground, HS2 would more than likely avoid interfering with any of the numerous aquifers in the area on which some farmers depend and the Grand Union canal depends for its water supply.

4. The petitioner 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 petitioner remains, etc.

Robert Alexander
Chairman Ellesborough Parish Council

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

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF LUKE AIDAN JOHN CARRIVICK  

Declares that:  

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

The petitioner is a resident in the village of Chesham Bois near Amersham. The petitioner is a regular cyclist in the Chilterns Area of Outstanding Natural Beauty ('the AONB') and uses, amongst others, the network of roads at Frith Hill, Potter Row, Leather Lane, and the junction of Frith Hill (B485) and the A413.  
3. Your petitioner’s concerns  

Your petitioner is concerned that during construction of the high speed rail line, as currently permitted under the Bill, there would be a significantly increased risk of harm to cyclists in the AONB. The AONB is used by significant numbers of cyclists, especially during weekends and holiday periods, who use the roads including Frith Hill, Potter Row, Leather Lane, and the junction of Frith Hill (B485) and the A413.  

I am a regular cyclist and therefore I would personally be specially and directly adversely affected by the dangers posed from the vast increase of construction, works and haulage vehicles that will use the roads specifically detailed above (for example, the increased risk of serious or fatal collisions with such vehicles).  

The increased number (and dangerous type) of vehicles relating to construction of the high speed rail line would also significantly reduce the ability for cyclists, during the period of rail line construction, to use these roads and the AONB for sporting and fitness purposes. This would have a major adverse effect on the health and fitness of all those who currently use the AONB for regular cycling activities.  

Alternatives
Your petitioner requests that the Bill is amended to include a fully bored tunnel to north of Wendover (outside the AONB) based on T3i. And failing that an extension of the bored tunnel to beyond Leather Lane. Thereby eliminating works, construction and spoil haulage traffic in the roads detailed. And failing that your petitioner requests assurances that work and construction vehicles will not use any of the roads specifically named in this petition during the construction of the rail line.

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.

Luke Aidan John Carrivick

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

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF SIBLEYS RISE RESIDENTS’ GROUP (SRRG)

Declares that:

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

2. Your petitioner

Your Petitioner is the Sibleys Rise Residents’ Group (SRRG).

Sibleys Rise is a cul-de-sac near to the cross roads between Kings Lane and Bayleys Hatch (which becomes Frith Hill South Heath Leg (SHL). There are 44 properties in Sibleys Rise, in which over 100 people reside (including 17 children) – 32 of which are members of SRRG. Sibleys Rise includes the only social housing in South Heath. SRRG was originally formed in 2013 to share resources and co-ordinate local activities in response to HS2’s plans for the area.

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 1.6km east of the A413 (the main road from Amersham to Wendover) and 2km east of Great Missenden (that requires crossing over the A413 to reach).

SRRG is a 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 mitigation from HS2.

Your Petitioner’s members’ properties within Sibleys Rise are specially and directly affected by HS2:

- All properties are within 200 to 350 metres of the start of the Chiltern Tunnel north portal construction compound, which lies to the west of Sibleys Rise
- All properties lie between 250 to 400 metres of where the bored tunnel will end (and the 200m porous portal begins).
- The noise emitted from the north portal is predicted to exceed the peak night-time LOAEL (laid down by HS2 Ltd) for all 44 properties. There is also the risk of tunnel boom.
- The horseshoe bund with 3m barrier on the top will be visible from the Frith Hill SHL within 100m of Sibleys Rise
- The communal green space with its swing for children is 300m from where the large construction site begins.
- The closest properties are under 150 metres from where the tunnel will now pass below ground
- Safeguarded land for other associated works also abuts the entire west side of the Sibleys Rise gardens
- The lengthy construction works will cause immense disruption, noise, loss of rural character, views, dust, and dirt to the immediate surrounding area.
- Access will be difficult for residents trying to reach Great Missenden, Wendover, Amersham, and other places using or crossing the A413 especially at peak times. This will include making school runs, getting to work, catching trains. HS2 Ltd admits there is a real problem with congestion associated with the traffic serving the South Heath cutting and portal. Subject to certain conditions, HS2 Ltd have agreed that the haul road can be re-sited by BCC but the detail and its location has yet to be agreed
- It is part of the community of South Heath that depends for daily life on the facilities (doctors, dentists, shops etc) on surrounding villages of Great Missenden in particular. South Heath remains substantially blighted by the Bill proposals – affecting property values and the ability to sell when the need arises.
HS2 will run in a bored tunnel under South Heath but the tunnel finishes on its northern edge of South Heath - just 150 yards north of Frith Hill South Heath Leg (SHL) – Sibleys Rise is the first turning off Frith Hill SHL to the South from the crossroads. The position of the portal and the length of the associated construction works severely impact on Sibleys Rise.

Your Petitioner’s members are particularly affected by the damage to the general area. The area lies in the heart of the AONB, many are keen and frequent walkers, who enjoy the tranquillity and beauty of the area, which is best enjoyed through the network of public rights of way (PROW), which is the reason that many residents chose to move to South Heath. Clearly HS2 makes the area generally much less attractive, and so impacts on the property values of those members who own their homes.

Your Petitioner will be directly, specially and injuriously affected by the Bill, to which your Petitioner accordingly objects for the reasons, amongst others, hereinafter appearing.

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 a fully bored Chiltern Tunnel is extended throughout the AONB. This will address these effects and reduce the impact on the AONB.

Failing this your Petitioner requests that the Chiltern bored Tunnel is extended at minimum to Leather Lane, another 1.5km, as proposed by REPA, and away from the communities of South Heath and Potter Row. It is agreed by HS2 Ltd that this is an engineeringly feasible solution and need not delay project completion. REPA contend that the short extension is cost neutral even on engineering costs alone.

If the Chiltern bored tunnel is not further extended then your Petitioner requests a range of further mitigations, set out below. These include binding undertakings from the promoter in respect of the Code of Construction practice, and on other matters.

3.1 Your Petitioner’s concerns

Operational noise will be injurious to health, sleep and enjoyment of the home

- Operational noise is predicted to exceed the WHO standards for night-time peak noise, and is 3 to 4 times louder at night-time than baseline. Your Petitioner is greatly concerned by this. It is recognized by noise experts that sleep is disturbed by peak noise and the predicted peak noise levels at Sibley’s Rise are substantially above the level at which they first have an injurious effect.
  - The 44 homes at Sibleys Rise are predicted to be in excess of the WHO night-time target and HS2 Ltd Lowest Observable Adverse Effect Level (LOAEL) level (which is the same) of 60dB (at the façade). 19 homes are at 63dBmax (freefield) and 25 homes at 66dBmax (freefield) ie 6 to 9dB higher than the LOAEL (adjusted to be freefield). With the noise of 36 trains an hour being so near and continuing late into the night (to midnight) and from early morning, this is of greatest concern. HS2 Ltd are accepting that the level of noise is injurious, in specifying the LOAEL at the 60dBmax level.
  - Night-time peak noise is presently low – with a 5min average peak of 47dBmax recorded for Sibleys Rise by HS2 Ltd: 63dBmax and 66dBmax represents an increases of 16 and 19db. Which are between 3 to 4 times louder.

Current average noise levels are low in Sibleys Rise, and it is of concern that HS2 Ltd continue not to use lower thresholds for quieter areas, or have lower thresholds for evenings (compared to day-time).

In the light of the LAmax noise evidence, it is of concern that HS2 Ltd still have not produced LAmax noise contours. Your Petitioner believes that Sibleys Rise will suffer significant noise increases and levels, and that further mitigation for the portal area to protect them is justified.

Residents are also concerned that they may suffer from tunnel boom. The South Heath porous portal is planned to be 200m long as opposed to 220 metres for Mantles Wood. While the Promoter has issued statements to the effect that tunnel boom will not arise, he has failed to give an enforceable assurance to residents that tunnel boom will not be allowed to arise, or will be remedied if it does.

Mitigation The above concerns can be remedied by:

- Extending the bored tunnel, at minimum to Leather Lane, which is 1.5km further away, and further from the local community, and not near any other community.
• Make the peak LAmax LOAEL noise level at night a mandatory maximum and not a design target subject to the costs of its achievement being sufficiently low.
• Measures to contain noise (including but not limited to reasonably practicable ones) should include having retained sides to the portal cutting and beyond; a deeper cutting; reducing the train speed at night; lengthening the porous portal; higher more absorbent noise barriers on the portal side of the bund to increase protection to Sibleys Rise and those on the south side of the portal.
• Forecast levels of noise exposure should be binding with a requirement to implement whatever measures are required to achieve them, and not be subject to upward revision on the basis that measures are not reasonably practicable.
• Use lower thresholds for quieter areas, such as Sibleys Rise.
• A binding undertaking that, if tunnel boom is audible, measures will be taken that are sufficient to make it inaudible.

The Promoter’s attempt to restrict mitigation to that which is ‘reasonably practicable’ should be rejected, as the value placed on noise avoidance is inappropriately low, and the means of deriving it methodologically unsound.

3.2 Vibration
A number of the houses in Sibleys Rise are in close proximity to the line of the bored tunnel. There is a risk of ground-borne vibration.

This concern might be addressed by installing slab track that suppresses vibration to ensure that vibration is not an issue. Vibration effects to those on the west side of Sibleys Rise should be monitored, and an undertaken given that they will not be allowed to cause perceptible noise within homes.

3.3 Traffic, impact on SRRG access for 8 years.
Your Petitioner is concerned about how residents will continue to manage their daily lives given the congestion during construction on the A413 and at the only and closest access points to get on it or cross it, which involve the 2 main roundabouts used daily – the Frith Hill roundabout and the adjacent Great Missenden Link Road roundabout. Both these roundabouts have now been admitted by the Promoter to be over capacity with HS2 and will have large tailbacks at times of peak use. Members of SRRG depend on these roads for their work, for getting children to school, for catching the train at Great Missenden, tube at Amersham, working in Wendover and Aylesbury – all of which need to happen at peak times.

The residents of SRRG also depend on Great Missenden for their nearest shops and other community facilities – and these shops all lie on the opposite side of the A413. The road is steep and walking with shopping is not a realistic or feasible option.

The emergency services cannot avoid the A413 to access Sibleys Rise. SRRG petitioners are concerned that there is no plan as to how an adequate service will be maintained that involves no delays.

There is a significant concern that although Frith Hill SHL is no longer a construction route that it will become a rat run as tailbacks occur on Frith Hill B485. Both local and construction traffic may use it searching for a cut through.

While it has been agreed that the Haul Road, subject to certain conditions may be re-sited (to ease traffic congestion at the Great Missenden roundabout) no agreement has yet been reached. As currently sited the skate-park, tennis court and playground adjacent to the roundabouts are used by your petitioners and we are concerned as to its proximity to the increased levels of traffic in this area due to the haul road, and the safety of our children.

Mitigation: The above concerns can be remedied by:
• Extending the bored tunnel to reduce the amount of spoil that requires transporting; alternatively using retained cuttings to reduce the spoil from the South Heath cutting
• Move the haul road to Leather Lane. This remedy should not involve the use of Frith Hill SHL for fit-out construction traffic. The road is unsuitable, will cause congestion and the portal access sitting off Frith Hill SHL was not designed for this purpose.
• Spoil from the main cuttings should be taken along the trace, and then by rail rather than use the public road system, as was the original intention for the AONB.
• There should be a developed, approved and consulted on Traffic Management Plan, with Buckinghamshire County Council, with all costs borne by HS2 Ltd for monitoring and enforcement. There should be slip lanes/roads at the Link Road and Frith Hill roundabouts to facilitate traffic flow. The works and their costs should be identified now and made the subject of further consultation and petitioning.
• Frith Hill South Heath Leg and other local roads that are vulnerable to being rat runs should have cameras to prevent their use by construction traffic – all construction traffic should be tagged so movements can be monitored.

3.4 Construction noise, dust impacts.
Your Petitioner is concerned about construction noise, dust and other air borne pollution.

The level of noise in Sibleys Rise is presently low – it is a quiet peaceful area bounded by an ancient woodland to the south and Frith Hill SHL to the north. Noise levels currently average about 45dB according to HS2 Ltd’s own measurements. Construction noise will be loudest from the creation of the South Heath cutting, which lies within 300m or so from most properties, with noise levels increasing by some 5 to 6 dB.

The peak period of works lasts for years, not days or months. It is unacceptable to regard the works as ‘temporary’. The haul road will be at peak activity for 29 months and the works last 5 years before a brief pause and then fit out works last a further 2 years.

The wind is westerly. We are concerned as to the impact of the works on our community and open space for the children.

Mitigation: The above concerns can be remedied by:
• A bored tunnel extension throughout the Chilterns AONB; or at minimum to Leather Lane
• Local Environmental Management Plans (LEMP) monitored and enforced by the Council with all costs to be borne by HS2 Ltd
• Dedicated and manned phone line where residents can register complaints.
• More information as to the length that the various activities will take

3.5 Permanent portal access road from Frith Hill (SHL) inappropriately sited.

Work No 2/18C. Your petitioner notes the permanent access road is onto Frith Hill SHL at a bend on a narrow part of the road, just before Sibleys Rise. There is concern that it may be used officially or unofficially by contractors to access the Chiltern north portal during the construction period – especially if the traffic problems are severe at the GM roundabouts. Frith Hill SHL will already be a potential rat run for traffic under AP4 and this will increase the impacts.

No information is available as to when it will be built; or how much it will be used when HS2 is operating; whether it will be lit; whether it is built from north end, and how it is combined with being a footpath (at the portal end). It will be years before any screening is evident from the west or south side.

Mitigation: The above concerns can be remedied by:
• A bored tunnel extension throughout the Chilterns AONB; or at minimum to Leather Lane
• Preventing the use of the permanent access road during construction by contractors
• Ensuring the permanent access road is built from the portal end and not using Frith Hill SHL. It should not be lit. It should be screened using mature trees not saplings.

3.6 Continued house price blight, and in practice no recourse even to NTS.

Your Petitioner is concerned about house price blight; and the inability to sell in the currently dysfunctional market (for members owning properties); and the absence of alternative housing to which to move (for members in social housing).

Since the tunnel extension in July 2015, there has been no noticeable improvement in the property market. Agents confirm South Heath is still a blighted part of the Chilterns AONB. The CBRE study for
HS2 Ltd on blight (2010) noted that blight was worst in the proximity to the portals of bored tunnels. As a result of AP4 Sibleys Rise is now located in the proximity of the bored tunnel portal.

There is a concern that Sibleys Rise will have empty properties and suffer the impact of property dilapidations when the eight year period of construction starts, as a number are rented out and renting will become much less attractive to tenants due to access and traffic issues.

Residents feel trapped, having suffered years of stress, they are faced with an inadequate ‘Need to Sell scheme’ (NtS), with the worry of at least 10 more years of blight until HS2 is even operational. Further now that the green tunnel has been replaced by a bored tunnel HS2 Ltd are rejecting homes within South Heath under the location rule of NtS. HS2 ltd argue that the construction traffic impacts at Great Missenden may exist but are not severe enough to qualify. The fact the market concludes South Heath is blighted is having no bearing on how the location rule is being interpreted. This is unreasonable.

So your petitioners worry they are blighted, which will worsen as construction draws nearer but in practice they may find that they have no recourse even to the NtS.

Mitigation: The above concerns can be remedied by:

- A bored tunnel extension throughout the Chilterns AONB, or at least as far as Leather Lane, taking the portal away from Sibleys Rise and the South Heath community.
- A Property Compensation scheme that provides full un-blighted house value to all residents when they wish to sell and cannot at an un-blighted price due to HS2 – a Right to Sell Scheme.
- The Compensation scheme should be open and transparent, with an appeal mechanism that is administered by a body independent of HS2 Ltd. The NtS scheme to be made less complex; faster; more accessible; less onerous to prove qualification. There should be more effective rules to ensure correct un-blighted valuation.
- Sibleys Rise should be treated as fully eligible under any NtS, given its proximity to the portal and the major lengthy construction works. Either the location rule should be dropped or Sibleys Rise be deemed to qualify under it.
- Introduce a Property Bond scheme (as proposed by HS2AA) to not only provide compensation, but help reduce the level of blight in the blighted area, and reduce stress for those who worry about the value of their largest asset.

3.7 Health & wellbeing affected.

Many of your petitioners have suffered stress since the announcement of HS2 in 2010. It is hard to find any homeowners who do not worry about the value of their house. Everyone worries about whether they can ever move; how they will get their children to school or get to work on time; whether emergency services will suffer crucial delays in response times; how sleep disturbance may erode their health and quality of life; how excessive noise will rob them of enjoyment of their garden and walks; and whether dust will trigger respiratory disorders.

Residents currently live in an attractive area which will have its quality degraded first by construction, waste light, and railway furniture eg gantries; overhead lines. Residents are anxious about the loss of quality of their environment.

Mitigation: The above concerns can be remedied by:

- A bored tunnel extension throughout the Chilterns AONB, or at least one mile more, as far as Leather Lane.
- A high-level of dust and pollution suppression during construction with independent monitoring and powers to halt construction if requirements are not met until preventative measures are implemented and verified.
- Dedicated and manned phone line where residents can register complaints.

3.8 Impact on the landscape of the AONB is wholly out of character.

While your petitioner appreciates the improvements to the AONB landscape that accompanied the AP4 extension of the tunnel, your petitioner’s members enjoy all the surrounding landscape, including to the north and are concerned at the detriment caused by the pylon changes (with a considerably taller one); the impact of the horseshoe shaped bund with 3m barrier on top of it; the 3m barriers on top of the bund (rather than next to the line) from the portal to Leather Lane; the construction of large...
buildings (eg portal building and vent at Annie Baileys), the catenary and security fences; the permanent access road; the design of the longer porous portal; the changes to the footpaths from Great Missenden to Potter Row - none of which are sympathetic.

The South Heath cutting will be wider than previously intended, causing the bridges to be higher, more land to be taken (including from Grimm's Ditch) and there will be a bigger impact on the farms near Leather Lane.

The footpaths from Great Missenden to Potter Row will not be protected from noise, and will no longer be enjoyable to walk them.

Mitigation: The above concerns can be remedied by:

- A bored tunnel extension throughout the Chiltern AONB, or at least as far as Leather Lane.
- Bury power lines, alternatively retain the original alignment of pylons (with an initial temporary move if required) which avoids an additional change of direction and the need for the replacement pylon(s) being taller; the new pylons should be of a less obtrusive design;
- New buildings to blend with the landscape
- More landscaping to hide the horseshoe shaped bund, the buildings; the vent; eg mature trees planted early. Security fences should not be at top of bunds.
- Noise barriers should be on west side of South Heath cutting (from South Heath to Leather Lane) as well as on the east side to protect the amenity of the footpaths.

3.9 Additional Vent shaft and Auto-transformer station at Chesham Road.

Your Petitioner is concerned that there will be additional construction works from the vent shaft and this will be obtrusive on the landscape. This might be resolved by additional landscaping to mask the new buildings.

3.10 Remedy

Your Petitioner requests that 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. Failing that your Petitioner requests that the fully bored Chiltern Tunnel is extended at least a further mile to Leather Lane, as it will address, most but not all, of the above concerns.

Failing even a short addition to the bored tunnel your Petitioner requests the mitigations set out above.

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

NAME: Ms HILARY WHARF (appointed as roll B agent)

Date: 11 April 2016
Resolution to support REPA and petition

"The resolution was passed that the Sibleys Rise Residents Group (SRRG) would support REPA and that the SRRG would petition against the High Speed Rail (London- West Midlands) Bill.

The SRRG also appointed Hilary Wharf as their Rail & Agent to represent them."

Signed

Neil Crick
Secretary SRRG

Sibleys Rise
South Heath
Great Missenden
HP16 9QQ
To the House of Lords
Session 2015–16

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

THE PETITION OF Jonathan Maxwell Batten

Declares that:

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

2. Your Petitioner

   Your Petitioner is, Jonathan Maxwell Batten a resident at Saddlers, Swan Bottom, The Lee, Great Missenden, Buckinghamshire HP16 9NH, 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.

3. Your Petitioner’s concerns

3.1. Tunnel throughout the Chilterns AONB

   Your Petitioner as a resident of this part of the AONB is 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 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 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.
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, traffic movements, congestion and access problems and other implications during what will be a long period of construction. 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 Great Missenden and Wendover, 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.

3.2. Your Petitioner accordingly emphasises 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 Petitioner requests 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 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.

(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 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 0930 and 1530 hours 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 0800 and 0900 hours and between 1500 and 1530 hours 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

Your 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 Your Petitioner will ever pray, etc.

Jonathan Maxwell Batten

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

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF ROGER HARRISON and RUTH YEOMAN  

Declarres that:  

1. The petitioners are specially and directly adversely affected by those clauses in the Bill that relate to the works and operations proposed to be undertaken within the Chilterns Area of Outstanding Natural Beauty (herein after referred to as “the AONB”) including Clauses 1 to 36 which set out the Bill’s objectives in relation to the construction and operation of the High Speed Rail, Clauses 37 to 42 which deal with the Regulatory regime of the High Speed Rail, Clauses 43 to 65 which set out a number of miscellaneous and general provisions, and the works proposed to be authorised by the Bill (“the Authorised Works”) as specified in clauses 1 and 2 of and Schedule 1 to the Bill. Objection is taken to the works to be undertaken within the AONB in particular to works 2.1 and 2.12 to 2.27 (Listed in Schedule 1 of the Bill) in the parishes of Amersham, Little Missenden, Great Missenden, Chartridge, and the Lee, and to the clauses of the Bill that would authorise these works.  

2. Your petitioner  

The petitioners are the owners of a residential property located in the village of Chartridge, within the AONB.  

3. Your petitioners’ concerns  

The Misbourne Valley is a Poor Choice for the HS2 Route; Special Mitigation Is Required.  

1) The physical geography of this region of the Chilterns AONB makes it particularly ill-suited for the massive engineering works proposed. The Misbourne valley is narrow and constrained, and the valley bottom is occupied by historic villages and a single arterial road route (the A413) that carries substantial local and regional traffic.  

2) Given the constraints of the physical geography, the exceptionally high design speed of HS2, and the refusal of the proposer to properly engage with alternative tunnelling options developed by third parties, the current route reflects only HS2’s perception of its narrow engineering imperatives. Their current plan requires that the track runs along the top of a ridge (from South Heath to Leather Lane) and across a viaduct high above the Misbourne Valley (at Wendover Dean) - eventually leading to a massive barrier wall skirting Wendover - and is particularly inappropriate for a quiet area with a rural character whose exceptional landscape value has been recognised for decades by its AONB designation.
3) The planned works will inevitably cause major disruption to traffic on the single arterial route, the A413, throughout the 7-8 year construction period.

4) Piecemeal mitigation of the type currently proposed by HS2 fails to adequately address the permanent damage done to the AONB by noise, visual intrusion, adverse economic impact, and the erosion of the public’s consensus view of the protection that AONB designation should provide. It also fails to adequately address the ‘semi-permanent’ disruption to residents’ lives caused by the engineering works.

5) Any significant mitigation proposals should be assessed independently, and independent oversight of HS2’s undertakings and activities in this regard is essential. This is because HS2 have failed to earn our trust since the inception of the scheme. The cavalier way in which they have treated the public, and their lack of transparency, is now well recognised and must be addressed.

6) The direct and adverse impacts that we would suffer as a result of the current plans, and the remedies sought, are set out in detail below.

Remedies Sought

7) We request that:

   a. An independent assessment is undertaken of the feasibility and cost of extended tunnelling in the AONB (ie of the bored tunnel to the full extent of the AONB, and the REPA tunnel).

   b. In assessing economic impact of extended tunnelling, the following costs should be given full weight and set against the existing scheme:

      i. costs resulting from disruption to the local people and their economy during the construction period, and

      ii. costs incurred by relevant local authorities in attempting to mitigate the effects of the current scheme, and

      iii. costs resulting from reduction of local property values, and

      iv. loss of landscape value using current information and following Treasury Green Book guidance.

   c. In addition to a purely technical and economic analysis, due regard should be given to the damaging precedent that would be set by lightly casting aside the AONB designation in order to accommodate massive engineering works that would bisect the AONB at its central, widest part.

8) We are confident that a genuinely independent analysis of extended tunnelling, with due recognition of the local and national importance of maintaining the integrity of the AONB designation, would support the case for this mitigation. Extended tunnelling, and particularly tunnelling to the full extent of the AONB, is the remedy we seek.

9) To ensure fair play, and to restore our trust and that of the public generally in the HS2 planning and operational process, an appropriate independent person should be
appointed to ensure the requirements of the Bill are met, and undertakings by HS2 regarding mitigation measures are fulfilled.

Traffic Disruption During the Prolonged Construction Period.

10) The duration of the proposed engineering works in this area is very long – 7 years or more. For local residents such as ourselves, particularly older ones in or contemplating retirement, their duration is so long that the disruption caused might be considered as semi-permanent rather than temporary.

11) Major disruption to traffic flows on the A413 caused by construction traffic carrying workers, material and spoil is inevitable. Consequent congestion would have a direct cost that has not been quantified by HS2, but that should be properly set against the cost of fully effective mitigation.

12) We routinely use and/or cross the A413 for access to work, hospital A&E, shopping and recreational facilities. We will be directly and adversely affected by disruption to traffic on the A413. We are concerned in particular about delays in getting to and from work in mornings and evenings, and when accessing the A&E department in Stoke Mandeville in emergencies.

13) We believe it is inevitable that disruption to traffic flows on the A413 will cause drivers to seek 'rat-runs' along the small country lanes that criss-cross the AONB in this area. One such potential rat-run (Rocky Lane / Chesham Lane / Chartridge Lane) passes through your petitioners' village. This is in parts a very narrow lane, sometimes a single carriageway with passing places, and the portion in your petitioners' village is already partially obstructed when parents park to drop and collect children at the village primary school. The scheme as currently planned is likely increase traffic along this lane to a level for which it was not designed. This will raise the risk of accident, injury or fatality to all local users of the road, including ourselves. Attempts to control traffic entry and exit at the Rocky Lane / A413 junction are unlikely to eliminate the problem as there are other potential access points in the vicinity of Wendover.

Permanent Damage to the Amenity Value of the Central Region of the AONB

14) We chose to live in the AONB because of its quiet, rural nature and the opportunities it provides for walking (the Chilterns’ particular history as a densely wooded area has resulted in an unusually dense web of footpaths) and other country pursuits. The quality of the local environment has a high impact on us and our community because we spend so much time walking the local footpaths and enjoying the outdoor life.

15) The promoter's assessment underestimates the adverse impact of the noise caused by HS2 on the amenity value of this region of the AONB. It is largely focussed upon measures that are appropriate for an urban environment, where people are predominantly indoors and ambient noise levels are high, not a rural one that is intensively used for recreation.
16) We are concerned about inadequate measures to control operational noise from HS2, particularly as the Proposer's present plans are based on lower noise standards than current WHO guidelines, and that their undertakings in respect of tunnel boom are weak and can in any case be easily changed by them if their assumptions prove inaccurate. We believe it is unacceptable that there is no special provision for the protection of the relative peace in quiet rural areas around Potters Row, the Lee and Kings Ash where additional noise is likely to be particularly intrusive. Given the planned frequency of the trains, and their length, there is insufficient focus on the adverse impact on those many people, including us, who use this open countryside for recreation.

17) We know from personal experience that sound will travel for unusually long distances in the Chiltern, given the effects of temperature inversions and wind that are common in this part of the AONB, and which will refract sound waves travelling upwards from HS2 back down to the ground. We believe there is a significant risk that noise generated by frequent trains travelling at exceptionally high speeds along the ridge from South Heath and across the Misbourne valley over the Wendover Dean viaduct will be clearly heard, and be a considerable nuisance to us and others, over a very large area throughout this region of the AONB. We see no evidence that HS2 have undertaken any investigation of the local climatic conditions in the Misbourne valley and surrounding areas that would enable a proper understanding of this phenomenon. We have no confidence that, lacking such information, HS2's approach of one-size-fits-all route-wide acoustic modelling can provide an accurate prediction of real world noise in this locality under these conditions.

18) The proposed Misbourne valley viaducts (with security fencing, acoustic barriers, and overhead supply) and the barrier wall skirting Wendover will cause unacceptable visual scarring; the impact of such massive works in the AONB landscape cannot be sufficiently reduced even given careful design, as their bulk and scale is entirely inappropriate for the landscape. Our enjoyment of this area will be impaired.

Current Plan provides a Precedent for Further Large-Scale Development in The Chilterns AONB, and Threatens the Integrity of AONBs Generally.

19) Having chosen to live and take recreation within the AONB, we are greatly disturbed by the ease with which historic understandings and well-established development norms and planning constraints in the AONB have been simply set aside to accommodate the current proposed route of HS2, even in the face of strong opposition from residents and their representatives. It is particularly worrying that this can be done for a route reflecting an arbitrary and excessive design speed, for a project for which a convincing economic case has not been made, and that is unlikely (in an era of high speed internet, video conferencing, and large scale commercial investment in self-drive cars) to have long term utility. The damage done will be permanent.

20) One reason that we are concerned about the ease with which the AONB status has been set aside for such a large scale, disruptive engineering project - which bisects the AONB at its widest point - is that it provides a strong precedent for further incursions into the Chilterns AONB (and other AONBs nationally).
21) In the face of such concern, we believe that one important indicator of a serious commitment to maintain the integrity of the Chiltern AONB (and others nationally) is that all reasonable mitigation measures – such as enhanced tunnelling - are considered by the proposer openly and in a non-defensive manner. Where there is a doubt, we believe the benefit should lie with preservation of the AONB’s special character. To do otherwise will adversely affect our quality of life.

Addressing the Issue of Lack of Trust

22) Your petitioners’ exposure to HS2 since the inception of the project has left them with a strong impression that the organisation lacks transparency, is overly defensive, too ready to reject external ideas or challenge, and is unwilling to engage in serious dialogue with those who are directly affected by the scheme. From the very first ‘consultation’ to a very recent local presentation by HS2 staff, it seems clear to us that HS2 regards the concerns of local residents as simply public relations issues to be managed.

23) The criticisms voiced March 2016 report of the Public Administration and Constitutional Affairs Committee are fully consistent with our experience.

24) We believe that trust is vital for a project of this scale and impact and that in the light of experience independent oversight, as proposed in (6) above, is essential.

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.

Roger Harrison

Ruth Yeoman

Date: 16/04/16

........................
To the House of Lords

Session 2015-2016

PETITION against the

High Speed Rail (London - West Midlands) Bill

THE PETITION of MR IVAN JOHN PARRY

Declares that

1. The Petitioner is specially and directly adversely affected by the whole Bill, particularly Clauses 1 - 3 (Works) and Clauses 25 - 36 (Deregulation).

Your Petitioner

2. Your Petitioner is Ivan John Parry, who has resided as an owner/occupier in Meeting House Lane, Balsall Common, for 6 years in a property some 750 metres distant from the proposed railway.

Your petitioner is a keen runner and walker, and a frequent user of the local Public Rights of Way, in particular, the Kenilworth Greenway.

Your petitioner's concerns

3. As a resident of an area heavily affected by the Works proposed in the Bill, and as a regular user of amenities such as the local network of rural Rights of Way, your Petitioner objects that the proposed works will adversely affect the future enjoyment of this tranquil area by himself and his family.

Kenilworth Greenway

4. Your Petitioner is concerned that the Promoter intends to use heavy plant on this highly regarded amenity, which is a major resource for walkers, cyclists, horse riders, runners, naturalists etc. Your Petitioner understands the Promoter has said that any weak structures in the Greenway will be strengthened, but it seems the use of heavy plant will cause irreparable damage to its structure, its natural habitat and adjoining rights of way. The community will lose the use of this great amenity and will be given a poor replacement, which your Petitioner considers will be not be fit for purpose. Your Petitioner asks that a temporary parallel haul route be created and used instead, possibly crossing Truggist Lane near the Station and the Birmingham and Rugby railway line near Truggist Hill Farm, but if there is no practicable alternative to the use of the Kenilworth Greenway for construction traffic, then its restoration and replanting must be done with the prior knowledge and consent of all local parties, including the Greenway Trust, and must be fully satisfactory.

Petition of Ivan John Parry - p1
5. The Greenway has a good surface and a progressive gradient throughout. From Kenilworth, there is a height gain of 50 metres over a distance of 4.5 km as one climbs to the Severn-Trent watershed. From Kenilworth there is a continuous gradient of 1:90 or 1.1% over nearly 3 miles. The Promoter's scheme envisages a section of the reinstated Greenway, Work No. 2/182, being on top of the Burton Green Tunnel, necessitating ramps up and down from the existing cutting, at the north and south ends. The gradients are said to be 5%, but the Highway Design Manual gives a preferred maximum gradient for mixed use of 3%.

Your Petitioner believes it is feasible to make the route to this gradient, and that 5% is unnecessary and would be unsafe and unsuitable for mixed use. Possible increases in speeds of cyclists would be problematic for other users and unsafe in winter. There is also an icing risk, and the probability of extra wear to the surface. Your Petitioner asks that the maximum gradient of the reinstated Kenilworth Greenway be reduced to 3%, particularly in the southern section where the ramp is of considerable length, and that future operators of the proposed railway will pay the owners of the Greenway any costs involved in keeping the ramps in good condition and free of ice.

6. Your Petitioner is pleased that the Promoter has acceded to requests for an underpass beneath Cromwell Lane. However, few details are given and the Promoter has not said how resonance and noise transmission, that might startle horses being ridden or led through the underpass, will be controlled. Your Petitioner seeks an undertaking from the Promoter that the underpass will be designed, built, and warranted by the Promoter to be fully suitable and safe for horse-riders, cyclists, and pedestrians.

7. In the middle of the 1.5 kilometres of the replacement Greenway, Work No. 2/182, the Promoter proposes to have a section of cutting with graded earthworks rather than retaining walls. Work No. 2/182 would be displaced sideways, but keeping the same distance from the edge of the cutting. "Improved mitigation earthworks" are referred to in the Environmental Statement, but there does not seem to be sufficient space for them. Your Petitioner seeks an undertaking from the Promoter that there will be proper screening to ensure horses will not be startled by sudden-onset noise or the sight of fast-moving trains.

8. Public Footpath M184 runs parallel to the Greenway at Little Beanit Farm, and the Promoter proposes to provide a stepped ramp from it to the Greenway. Your Petitioner considers the Promoter has not left sufficient room for noise barriers and the planting of trees and shrubs between the footpath, ramp and reinstated Greenway, and the proposed railway ref Works 2/146. No screening foliage is shown on the Promoter's drawings, and some of the Greenway surface is taken up with a drainage channel. At present, there is a line of trees on the crest of the old cutting and drainage is provided by underground pipework. Unless noise barriers are provided to make the Greenway safe for the riding and leading of horses, and unless the barriers are camouflaged with foliage, users of the Greenway will
experience a serious loss of amenity. Your Petitioner seeks an undertaking from
the Promoter that adequate space will be provided for an effective noise barrier
and the planting of foliage to conceal the barrier between the areas with public
access and the proposed railway.

9. The Promoter is offering to create access to the Kenilworth Greenway from
Station Road at Berkswell Station. A permissive bridleway some 500 metres long
is proposed, which would meet a long-standing need for proper access to the
Greenway from the Berkswell end. It is proposed to divert Public Footpath M196
laterally by a small distance onto this new route. However, no details have been
made available of the proposed Work. Your Petitioner seeks an undertaking from
the Promoter that the extension of the Kenilworth Greenway and the diversion of
the footpath M196 will be designated as Works in the Bill with published plans
and sections, that the Greenway extension will be designated as a Public
Bridleway, and that the maximum gradients for the Greenway extension and
M196 will not exceed best practice values to suit all potential users.

10. The Promoter intends to provide a temporary cycle- and bridle-way, Work No.
2/1838, as a substitute for the Kenilworth Greenway during construction of the
scheme. This provision is welcomed by your Petitioner, but the Promoter
proposes that the route will have a loop that would cause it to run alongside the
Cromwell Lane Satellite Compound. Not only would this add further distance to
the route, but it would also expose Greenway users to noise, poor visual amenity,
and airborne pollutants. Your Petitioner seeks an amendment to the route of
Work No. 2/1838 so that it runs across the field south-west of the Cromwell Lane
Satellite Compound in a continuous line, rather than making four changes of
direction to follow the field boundary.

11. In AP2, the Promoter has changed the route of the temporary cycle- and bridle­
way, Work No. 2/1838, so that it runs along Waste Lane for about 40 metres. No
detail is given in the Environmental Statement, and your Petitioner is concerned
about the safety of users, especially as the Lane is designated as a construction
route and the location is right by the construction site for the new Waste Lane
bridge. Your Petitioner seeks an undertaking from the Promoter that the
temporary route of the temporary cycle- and bridle-way along Waste Lane will be
segregated from vehicle traffic to ensure the safety of users.

Public Footpath M184

12. At present, Public Footpath M184 starts at Waste Lane with a flight of steps down
from the bridge that takes the Lane over the Kenilworth Greenway. It was
repeatedly pointed out to the Promoter that the path would require diversion
because of the intention to provide a new bridge, Work No. 2/186, somewhat
further to the north-west than the current bridge. The solution proposed by the
Promoter is a diversion of 50 metres with a descent to the Kenilworth Greenway
and a re-ascent via the diverted Footpath M198, to the new Waste Lane bridge.
All that is required is a ramp up from the existing path, curving around on the
embankment to join the new bridge with a difference in level of about 2 metres.

Petition of Ivan John Parry - p3
The existing flight of steps does not provide satisfactory access for all path users, so your Petitioner seeks an undertaking from the Promoter that a ramp, with a gradient of no more than 5%, will be provided up the embankment of Work No. 2/186 to link Footpath M184 to the realigned Waste Lane.

13. The proposed connection between Public Footpath M184 and the Kenilworth Greenway is welcome. A stepped ramp is proposed to overcome the height difference of about 2 metres but no details are provided. Your Petitioner seeks an undertaking from the Promoter that the proposed access ramp between the Kenilworth Greenway and Footpath M184 at Waste Lane will be suitable for all footpath users.

14. At present, there is a line of trees on the crest of the old cutting, between the Greenway and footpath M184. Additional planting is proposed by the Promoter. Your Petitioner seeks an undertaking from the Promoter that the trees, currently separating Public Footpath M184 near Waste Lane from the Kenilworth Greenway, will be replaced as required, that no other screening foliage will be planted, and that the footpath will be displaced to the south-west by the minimum necessary to accommodate the reinstated Greenway.

Public Footpath M186

15. Near the electrical sub-station, the Kenilworth Greenway is crossed by a bridge carrying footpath M186, and a farm accommodation bridge. The Promoter proposes to replace these with a single new bridge, Work No. 2/184, about 75 metres further north-west of the current M186 bridge, which would separate farm traffic from users of the realigned Kenilworth Greenway, Work No. 2/182. However, to the north-east of the Greenway, the proposed diverted route of the path M186 makes two unnecessary right-angle turns. Your Petitioner seeks an undertaking from the Promoter that these zig-zags will be removed from the proposed diverted route of M186 north-east of the Greenway.

16. In the Promoter’s drawings, the bridge, Work No. 2/184, is shown as flat, and it is likely to be surfaced with concrete in order to be durable when used by cattle. Your Petitioner is concerned that the surface may become inconvenient for walkers unless the bridge has an arched or cambered profile to promote drainage. Your Petitioner seeks an undertaking from the Promoter that the bridge will have a convenient well-drained surface for walkers, and that noise barriers will be provided to protect the public and farm livestock.

17. At present, there is no public right of access between the Kenilworth Greenway and footpath M186 that crosses it. Your Petitioner seeks an undertaking from the Promoter that a level connection between M186 and Work No. 2/182 will be provided where they are closest to each other on the south-west side of the reinstated Kenilworth Greenway, and that a short direct stepped connection will be provided between M186 and Work No. 2/182 immediately adjacent to the bridge Work No. 2/184.
18. The Promoter has given no details about the appearance of the proposed overbridge, Work No. 2/184, which crosses both the railway and the Kenilworth Greenway. The span across the Greenway would replace two existing structures constructed of Victorian brick and cast iron. These structures are characteristic of the Kenilworth Greenway as a whole, and it is essential for the amenity of the route that any replacement structure is harmonious. Your Petitioner seeks an undertaking from the Promoter that Work No. 2/184 will be designed to match the current structural style and will be constructed from, or clad with, original bricks salvaged from the demolition of the existing bridges.

Public Footpath M187

19. Public Footpath M187 provides a permissive bridleway and one of the few cycle and equestrian access routes to the Kenilworth Greenway. It also makes an east-west link between Hodgetts Lane at Burton Green and Public Footpath M186, thus providing a recreational circuit around the built-up area. The Promoter’s maps show an incorrect route for M187, so the proposed diversion of the path has been based on false information. The Promoter proposes that the diverted footpath would join Hodgetts Lane just 60 metres from the entry to Public Footpath M182, so would be largely without purpose. Users making the walking circuit around the west of Burton Green would need to walk a further 130 metres along Hodgetts Lane, which is used by large vehicles and has no footway. They would therefore experience inconvenience, loss of amenity, and risk.

The Promoter offers to construct and permit use of the diverted way as a Bridleway, but does not propose to designate it as a Public Bridleway. At the point where Public Footpath M187 currently crosses the line of the proposed railway, it would pass over the northern porous portal of the Burton Green Tunnel, so the path can be left close to its current route. Your Petitioner seeks an undertaking from the Promoter that Public Footpath M187 will be diverted along Work No. 2/182, that it will pass over the railway close to its current alignment and join Hodgetts Lane where it does now, that this section will be upgraded to a statutory Public Bridleway, that barriers will be provided to protect users of path M187 from noise from the trains, and that the sound levels and view of the railway will be safe for the riding and leading of horses at all points on the path.

Public Footpath W169

20. Public Footpath W169 runs from Red Lane in Burton Green in a north-easterly direction to cross the Kenilworth Greenway, and link to a number of other paths. It is proposed to divert footpath W169 over the top of the Burton Green Tunnel near the South Portal. However, no plan and section of the diverted part of W169 has been published. Your Petitioner is unable to make informed comments about the suitability of the proposals. The diverted route shown in the Environmental Statement could be made more attractive for walkers by making it more direct. Your Petitioner seeks an undertaking from the Promoter that a plan and section of the proposed Work to divert footpath W169 will be published, and that the diversion of footpath W169 will be amended as necessary to minimise the prolongation of the route and to keep the maximum gradient less than 5%.
Public Bridleway W164

21. W164 was upgraded to a cycleway by the Sustrans Connect2Kenilworth project, and is an important route for both commuting by cycle, and leisure. It is a branch of the Kenilworth Greenway and forms a part of National Cycle Network National Route 52, which links Warwick and Coventry via Kenilworth and Warwick University. It is used by horse riders, cyclists, and disability scooters, so users need to be protected from the rapid-onset noise from the trains, and horses must be protected from visual disturbance. The Promoter proposes to divert the path in a loop that would lengthen it by 300 metres and introduce two right-angle bends and a bridge, Work No. 2/176 over the proposed railway. The bridge would have a 12 metre height change, and the Promoter claims the gradients on Work No. 2/176 will be limited to 5%, but this is not shown on Replacement Plan Sheet 2-112 and the relevant Section Sheet 5-108 has not been revised. Your Petitioner notes that the preferred maximum gradient in the Design Manual for a shared route is 3%, and there does not appear to be a good reason for not complying. If the path was diverted to follow the cutting of the diverted Canley Brook, Work No. 2/175, the necessary headroom of 3.4 m could be provided beneath Work No. 2/146.

The diversion of the bridleway, as currently proposed, would result in a serious loss of convenience, safety, and amenity. Your Petitioner seeks an undertaking from the Promoter that bridleway W164 will be diverted alongside the diverted Canley Brook, that Work No. 2/146 will be elevated if necessary, that barriers of harmonious design will be provided to protect users from the noise and sight of the trains, and that the bridleway will be safe for the riding and leading of horses at all points.

Noise

22. As expressed above your petitioner has concerns with regards to matters of noise and vibration caused by the construction and operation of the high-speed railway. Your petitioner is concerned as there appears to be no mechanism in the Bill to deliver a properly noise mitigated railway.

Your petitioner is concerned that the fundamental calculations needed for forecasting noise impacts, known as the Lowest Observed Adverse Effect Level (LOAEL) and Significant Observed Adverse Effect Level (SOAEL) have not been correctly identified and were set too high in the Environmental Statement, leading to material underestimation of the adverse noise and significant adverse noise impacts likely to arise from the high speed railway.

Your petitioner is concerned that the thresholds adopted in the Environmental Statement for noise limits were set above what the World Health Organisation considers acceptable. Your petitioner considers this issue is likely to become more pressing given the moves by the World Health Organisation to set new lower targets on the basis of the latest medical research on the impact of noise on human health.

Petition of Ivan John Parry - p6
Your petitioner is concerned that the specific impacts of ground borne noise have not been properly considered or explained to impacted communities and the limit for ground borne noise does not reflect recent or practice or experience and the methodology used for predicting the impact of ground borne noise is insufficiently robust and no amelioration measures have been suggested to deal with this problem.

23. Your petitioner therefore requests:

that HS2 Ltd be instructed to issue revised noise thresholds for noise exposure, which reflect World Health Organisation guidelines including those on peak noise (60dB max pass-by outside nearby properties, giving 45dB inside), and pro rata levels on rights of way that are adjacent the railway, with specific local limits for bridleways which must not be exposed to sound or visible movement that could startle horses;
that HS2 Ltd be required to set noise limits for construction which are in line with World Health Organisation limits, and local authorities be provided with enforcement powers to order the cessation of construction activities in the event such anticipated exposures are breached;
that HS2 Ltd be obliged to commit to designing the high speed railway to operate in such manner that the revised noise exposures are not breached;
that a binding requirement be included in the Bill for noise monitoring with obligations on HS2 Ltd to introduce additional mitigation measures, including reduction in train speeds, in the event forecast noise levels are exceeded; and
that HS2 Ltd be required to commit to the same threshold for ground borne noise as the Northern Line Extension- meaning ground borne noise levels no greater than 25dB LpAsmax for rural areas and 30dB LpAsmax for urban areas.

24. Your Petitioner is concerned 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 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 26 would provide a defence to statutory nuisance for the nominated undertaker. Your Petitioner requests that Clause 36 and schedule 26 are deleted from the Bill.

Landscape and visual

25. Your Petitioner is concerned by the explanation given and the conclusion drawn in the AP2 ES about the omission of viewpoints 285.2.002 and 285.2.003 from the original Environmental Statement maps. The omission of these viewpoints from the maps is fundamentally misleading.

26. Your Petitioner considers that the impact on the views from residences along Ridings Hill and from Public Footpath M196 adjacent to residences on Barrett’s
Lane will be more significant than the quoted moderate adverse effects, and are likely to be aggravated by the changed works envisaged in AP2.

27. Your Petitioner disputes that the effects will be temporary, as the screening trees which provide a degree of mitigation are not within the control of the Promoter.

28. Your Petitioner therefore requests that HS2 Ltd be instructed to issue revised proposals for earlier and upgraded screening proposals to mitigate the visual intrusion of the railway during construction and operation, and where there are serious residual unmitigated adverse effects, to agree meaningful offset and long-term compensatory measures with local communities.

Waste

29. Your Petitioner is concerned that the impact of the amount of waste to be excavated and removed from the construction of the proposed railway has been underestimated and the environmental impacts of removal and disposal of such waste has been needlessly worsened because of the primacy (in UK and EU law) of the requirement to seek to avoid disposal of waste and comply with the principles of the waste hierarchy has been ignored by HS2 Ltd.

Your petitioner is concerned that the forecasts provided for amounts of waste to be excavated and removed from this area appear to be contradictory and take insufficient account of local authority planning policies.

Your petitioner requests that: HS2 Ltd be required to comply with the requirements of the Waste Framework Directive and review its decisions on treatment of waste to ensure compliance with the waste hierarchy as detailed in that Directive. Such review should include publishing details of the “integrated design approach” to waste management and subject to consultation to enable effective public participation on this issue.

Code of Construction Practice

30. Your Petitioner is concerned that the nominated undertaker’s ongoing accountability is unspecified. The Code of Construction Practice does not identify how any lead contractors will be made to comply, and the redress and appropriate action that might be taken in the event that the contractors do not comply with the Code of Construction Practice. The assessment in the Environmental Statement is made on the assumption that the Code of Construction Practice and the strategies will be fully effective, however, the Code of Construction Practice has no legal status.

Your Petitioner submits that the Code of Construction Practice should be incorporated into the Bill. Parliament and not the nominated undertaker should be accountable for the project. Any monitoring required under the Code of Construction Practice should involve the relevant local authority as well as independent experts with effective oversight and redress arrangements in the event of non-compliance with the Code of Construction Practice.
31. The standards set out in the Environmental Statement and the Code of Construction Practice are of "reasonableness" and "reasonable endeavours". Your Petitioner submits that this should be replaced by a higher standard, "best practical means", and the measures should be agreed with the relevant local authority. Measures should be subject to independent assessment verifiable and challengeable. This applies to noise as well as other effects that are to be addressed in the Code of Construction Practice.

Compensation

32. Your Petitioner submits that the compensation provisions in relation to property that is not compulsory acquired and other matters are not sufficient to compensate your Petitioner adequately for the loss and damage they may incur as a result of construction and operation of the high speed railway and associated development.

Your Petitioner requests that the Bill should be amended to ensure your Petitioner and other persons outside the safeguarding area who are injuriously affected and adversely affected by loss of value should be entitled to claim compensation.

33. In light of the above, the Petitioner reserves 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 his concerns that may occur in due course.

For the foregoing and connected reasons your Petitioner respectfully submits that, unless clauses of the Bill are removed or amended, then the Bill should not be allowed to pass into law.
34. There are other clauses and provisions in the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and his rights, (including his human rights) interests and property and for which no adequate provision is made to protect your Petitioner and other clauses and provisions necessary for his protection and benefit are omitted therefrom.

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.

Ivan John Parry

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

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Iain Smith

Declares that:

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

   The petitioner is the owner of Final Home, Park Lane, Berkwell CV7 7BP.
3. Your petitioner's concerns

   Whilst the property lies outside of the "Safeguarded Area", the property will be significantly affected during the construction phase and on completion. For example, Park Lane is to be realigned to suit the route of HS2 and in order to facilitate these works, a permanent road island is intended to be constructed at the junction of the A452 Kenilworth Road and Park Lane. These works will require temporary road closures which will result in restricted access being given to the property.

   Furthermore, HS2 intend to locate the Contractors Materials and Plant Compound within a 50 acre area of existing farmland adjacent to the property and the Contractors Site Offices, immediately opposite.

   Both of the above will result in a great deal of disruption and inconvenience being incurred by the owner.

   Added to which, the owner may suffer resultant impact of these works on the existing structure and land to the property.

   It is also considered that the value of the property during and the construction phase and subsequent to the Completion of the Works will be significantly reduced.
This is of particular concern due to the existing Mortgage arrangement being due to mature in approximately 5 years time, which will fall within the currently anticipated programme for the construction works in this locale.

It is suggested that HS2 consider renting the property from the owner for an agreed amount, for the full period of the construction works and on their completion, an assessment of the resultant property value is established and should the value have reduced, appropriate compensation should be paid*

*A value of the property is to be established and agreed on the basis that HS2 had not proceeded. Evaluations of the property immediately following construction are to be obtained and compensation for any resultant loss in value should be made.

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.

IAIN SMITH
Petitioner
15 April 2016
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Gerry Lowe and Anne-Marie Lowe

Declares that:

1. The petitioners are specially and directly adversely affected by Schedule 1 and AP4.

2. Your petitioners

The petitioners are residents of Great Missenden, adjacent to which the proposed railway will be built.

3. Your petitioners' concerns

We will be specially and directly adversely affected:
• Because our local community relies in part on the tourist industry, which expects to be adversely affected by the decision not to tunnel through the entire Chilterns AONB.
• Because, in common with everyone, our wellbeing is influenced by the environment in which we live, and by ending the tunnel in the Great Missenden area, rather than by continuing it to the edge of the AONB, this will be adversely affected during both the construction and operation phases.
• Because in the longer term we will be affected, as will the entire community, by the loss of biodiversity which will result from the line's construction, and the consequent compartmentalisation of the natural habitat within the AONB.

We therefore ask for a bored tunnel to be installed to the edge of 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.
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF the Northampton Rail Users Group.

Declares that:

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

Your petitioner

2. The petitioner is the Northampton Rail Users Group. This group was established almost two decades ago and its purpose is to serve the interests of rail passengers who start or complete their journey in Northamptonshire. Its members include MPs (both present and past) and Councillors from Northamptonshire County Council and Northampton Borough Council. This we believe adds a sense of democratic purpose to our campaigns.

3. With 2.9 million passenger entries and exits in 2014-15, Northampton is the third busiest rail station on the West Coast Mainline between London and Birmingham (excluding stations in those two cities), with just Watford Junction and Milton Keynes Central serving more passengers. In the 2011 West Coast Main Line Route Utilisation Survey, Northampton was ranked sixth largest in its provision of passengers to/from London Euston.

4. Northampton Rail User Group members and the rail travellers they represent own numerous properties in Northamptonshire.

Your petitioner’s concerns

5. The petitioner will be specially and directly affected in the following ways:

6. The development work for Euston station to accommodate HS2 will result in the number of approach tracks for classic trains being reduced from 6 to 5. This in turn will cause significant delays at peak times resulting in trains arriving late at Euston. There used to be a similar problem until the end of 2008, prior to which there were just 4 approach tracks. However the number of trains arriving in the peak hour has increased from 19 to 26. So the old problem of trains being held outside Euston station will be re-introduced as a result of HS2.

7. Furthermore London Midland has been the fastest growing franchise over the last eight years. Such expansion will not be able to continue with a permanent bottleneck introduced on the way into Euston station.

8. The West Northamptonshire Joint Core Strategy has planned for more than
40,000 new homes to be built between 2011 and 2029. This will contribute towards addressing the shortage of affordable homes in the London area. The Strategic Economic Plan for the South East Midlands LEP (which includes Northampton) sets out plans to deliver 86,700 new homes by 2020/21, a growth rate which is higher than the national average. However it has been noted that jobs growth within this area is not keeping pace with population growth. Inevitably a proportion of these additional residents are very likely to gain employment in London. The petitioner believes it is inconsistent to strive for additional housing while constraining a key travel route.

9. Northamptonshire is also one of the best four performing enterprise zones in the country. This is yet another reason why it needs good travel routes to key cities and routes that can accommodate expanding passenger demand.

10. The changes to be introduced at Euston will also reduce the number of classic platforms from 18 to a minimum of 11. This will lead to shorter turn around times. It will also mean that it takes far longer to recover to scheduled times following delays elsewhere on the network. Network Rail has indicated that they will need 12 classic platforms at Euston as a minimum, and would need 15 to provide a flexible and reliable operation.

11. HS2 Ltd has acknowledged that the concourse area at Euston already becomes overcrowded at peak evening times. However the concourse area will be reduced as facilities such as the existing ticket office, left luggage office and British Transport Police will all have to be moved from their current locations into either the current concourse area or displace existing shop facilities. Furthermore the piazza area, which can also be an overflow area for passengers, will accommodate one of the construction compounds during the many years that Euston will be rebuilt, further reducing the space for waiting passengers.

12. The passengers on HS2 trains will generate significant additional demand for use of the Underground. There is no way that the Northern and Victoria lines will be able to accommodate this additional demand. The petitioner believes that it is essential that Crossrail 2 is built before HS2 Phase Two opens.

13. A further effect of HS2 Ltd’s work at Euston will mean that those rail passengers seeking a taxi will have to walk approximately 500 yards further to reach the relocated taxi rank.

14. Cumulatively, these various issues will have an adverse effect on people who have chosen to live in and around Northampton and who work in London. In turn this may well have an adverse affect on the desirability of Northampton as a place to live and hence the prices of its houses.

15. The petitioner identifies the reduced number of approach tracks as being the most important issue of those listed above. During the long period of construction work at Euston station, it is vitally important that existing peak level services are maintained as an absolute minimum. It is essential to plan for additional peak level services as both London Midland and London Overground have track records of
strong passenger growth.

16. It is a belief of this petitioner that if the approach tracks for HS2 can be submerged underground at a point which is further south, then the 6 classic approach tracks can be reinstated. Other issues identified above also need to be addressed to ensure that Euston station can properly deal with significantly greater demand from classic rail passengers.

The prayer

17. The petitioner therefore asks the House of Lords that 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.

Paul Minton
Roll B Agent
Northampton Rail Users Group
9th April 2016
NORTHAMPTON RAIL USERS GROUP

Minutes of meeting held 12th March 2016


1. Chairman opened meeting at 10.05 AM and welcomed everyone.


3. Minutes of last meeting held on 13th February 2016. Agreed.

4. Rail Central Freight Terminal.

Chairman produced letter to Planning Inspectorate. MPs had been copied in with a request that they take up issues with Patrick McLoulgin, Secretary of State for Transport. Chris Heaton-Harris MP had responded that we should wait until a planning application had been made. The Inspectorate had acknowledged the letter and suggested scoping issues should be “taken up with the planning authority”. The Group debated issues surrounding DIRFT not addressing rail capacity, the adequacy of the consultation and the fact that, although noted as an application of national importance – the Inspector can determine otherwise.

The Chairman said he needed a “barrage” of responses. Shaun Hope noted that Blisworth and Milton Malsor Parish Councils had got together to form an opposition group “Stop Rail Central”. The Chairman’s letter and the response from the Inspectorate would be useful to Stop Rail Central.

5. HS2 – Euston – Petitioning the House of Lords

Brian Binley had had a conversation with Robert Syms about the right to petition being “overly restrictive”. Andrew Bodman noted that the matter had moved on in that the HS2 Select Committee had wound up and was in the process of reporting.

There was a discussion about a ‘Parkway’ Station for Northampton. Brian Binley (BB) noted that national funding was directed towards HS2. There was nothing for the loop line until HS2 was completed although BB recognised the needs/demands arising out of the expansion of Long Buckby.

Andrew Bodman (AB) talked of petitioning the House of Lords, referred back to the October meeting minutes and went though the issues that were working against ‘classic’ rail users. The House of Commons report was expected 23rd March and would almost immediately pass to the House of Lords. There was a 21 day window to petition the House of Lords Select Committee. They were “likely to be more receptive to our arguments”. AB and the Chairman to work on a Petition. Discussion as to who should present it- David Mackintosh as current MP or BB as NRUG President. There was a potential for a locus standi challenge.
Andrew Bodman proposed that the Group petition the House of Lords and that Brian Binley and Paul Martin represent the Group. Gyde Horrocks seconded the proposal. The Resolution was passed unanimously.
BB asked for support from the Borough and County Councils. Tim Hadland will look into.
Winston Strachan will speak to Cllr Michael Clarke.
The County Council Liaison Group meet at Towcester on the 18th March. The Chairman is attending as a member of LEP. Andrew Bodman will provide information.
The Group discussed the significant population growth in Northampton in the last 40 years. Gyde Horrocks noted that growth in Long Buckby was proportionate to Northampton in the last 5 years but Wellingborough considerably less. This gives weight to support for Long Buckby and the importance of that station to areas in north Northampton. Northampton and Long Buckby stations showed the fastest growth in passenger traffic in the West Midlands.

6. **West Midlands Consultation**
Discussion about the meeting at Northampton.
Daventry District Council have lodged a response to the consultation.

7. **AOB**
Colin Bricher asked about the website. “Just start a new one”. Chairman will talk to Andrew Gough at the University.
Colin Bricher spoke about extending rush hour trains to Long Buckby. Chairman suggested this was an item for the House of Lords Petition.
Brian Binley raised the issue of station parking and suggested we look again at using the two ‘Saints’ car parks during the daytime with a minibus connection to the Station during the rush hour period. He has taken this up with Cllr Markham, (NBC Leader). Tim Hadland noted that a car parking survey was underway currently.
Andrew Bodman informed the Group that there was a program on TV channel “Quest” at 6pm this day about the West Coast mainline that might be of interest.
Simon Mitchell suggested Car Parking should be on the next agenda and enquired about a formal train station opening ceremony.

Chairman thanked all for attending. The meeting closed at 11 AM.

Next meeting 9th April 2016.
To the House of Lords Session 2015–16

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

THE PETITION OF Harefield Tenants and Residents Association

1. Declares that:
The petitioner is specifically and directly adversely affected by the whole Bill

2. Your petitioner
2.1. The petitioner is Harefield Tenants and Residents Association, a long-standing, formally constituted Association created to enable local residents to meet regularly and discuss issues such as planning, crime prevention, environment and other community matters in the local area. The Association represents the interests of approximately 7500 residents from approximately 1300 households in the area.

2.2. The Association’s area is the distinct, semi-rural village of Harefield on the outskirts of the London Borough of Hillingdon, in the Colne Valley. It is characterised by Green Belt land, tranquil lakes and waterways, two Conservation Areas, numerous heritage assets, Sites of Special Scientific Interest and numerous outdoor recreational facilities. All of these will be impacted by construction work and the eventual permanent presence of the proposed railway on a highly visible and audible viaduct, and by the construction and eventual permanent presence of substantial new structures for the supply of electricity to the new railway. The petitioner believes that the distinctive character and tranquillity of its village will be permanently and adversely affected, greatly reducing the quality of life for current residents and making it less attractive to visitors and new residents. The Association believes that the concentration of permanent major impacts of the Bill in its immediate vicinity represents a disproportionate burden on the village, making it specially and directly affected.

2.3. Your petitioner has raised its concerns through all previous engagement, consultation and petitioning processes but solutions have not yet been found.

3. Your petitioner’s concerns
3.1. Construction impacts on local travel and access to essential services. Your petitioner’s members are entirely reliant on a small number of local roads which provide the only access to the village. These roads will be seriously affected by construction traffic, with the two main ones being used as major construction routes for up to 7 years and the others feeding on to other roads that will themselves be used as major construction routes. Your Petitioner’s members will therefore be subject to intolerable disruption to their daily lives throughout the lengthy construction period – for some, this could encompass the rest of their retirement years, or their entire school careers. Specifically:

3.1.1. Your petitioner’s area includes Harvil Road and Breakspear Road South, both of which are to be used heavily by construction traffic for up to 7 years. These roads are the main access roads for the village. They are essential to the daily life of residents, businesses and visitors, for users of the Royal Brompton and Harefield Hospital and for staff and students at schools in the village. Disruption to these roads at the levels envisaged by the Promoter will prevent your petitioner’s members from

remaining connected to the outside world.
using local services, visiting friends and family within the village and accessing the wider public transport network. Furthermore, disruption to these roads at the levels proposed could be dangerous for patients using Harefield Hospital's specialist heart and lung services, whether seeking emergency, acute or chronic condition care, threatening the viability of the hospital itself. Congestion on these roads will also be disruptive to the education of students at schools in the village and make the schools less attractive to new pupils and staff.

3.1.2. Your petitioner's area also includes Park Lane which provides the only other main route in and out of the village. Park Lane will not itself be used for construction traffic under the Bill's proposals but it leads onto the A412 at a point that will be severely affected by the other main complex of major construction compounds for the Colne Valley viaduct and the Chiltern Tunnel. Park Lane will also see increased use by displaced local traffic attempting to avoid construction traffic on the village's other roads.

3.1.3. Many of your petitioner's members rely heavily on bus services U9 and 331 which use Harvil Road and Moorhall Road respectively—these services provide onward connection to mainline trains at Denham and London Underground at Uxbridge. Construction work proposed in the Bill will cause severe disruption to these essential services and simultaneous work on these roads will rule out diversion options.

3.1.4. Your petitioner believes that the level of construction traffic envisaged in the Bill arises largely because of the choice to place the route on viaduct instead of a tunnel in this area. A tunnel would remove the need for much of the surface-level construction work. Your petitioner therefore requests that a tunnel be chosen instead of a viaduct for the route throughout the Colne Valley. In the event that a tunnel not be required, your petitioner requests that construction traffic routing be confined to only one of the local roads at a time to allow for diversion of local traffic.

3.1.5. Your petitioner also requests that the Promoters be required to give an undertaking that construction traffic movements will be restricted to a level that does not adversely affect response times for fire, police and ambulance emergency vehicles to access properties in the village, by reducing the numbers of construction movements permitted and the numbers of local roads affected at any one time.

3.1.6. In addition to local roads, your petitioner's members regularly use the Grand Union Canal towpath and numerous other local Public Rights of Way which are liable to be stopped up or interfered with at different times for the purposes of works authorised by the Bill, causing loss of access to valuable recreational amenity and safe walking or cycling routes to local work and services. Your petitioner requests that the interruptions be phased so that an adequate level of important local access and safe routes to work and services can be maintained.

3.2. Noise. The petitioner is seriously concerned about the permanent and substantial noise impacts that will be created by the operation of the proposed railway in this otherwise relatively tranquil area. These impacts are specifically associated with the placement of the route on viaduct through the Colne Valley, maximising rather than minimising the likelihood of noise impacts on the petitioner. Specifically:

3.2.1. The proposed line passes through your petitioner's area in cuttings and on embankments at either side of a viaduct across the Colne Valley, with tunnel portals at each end. The proposed viaduct will be 10-15m
metres overhead, with trains passing up to 36 times an hour at 320 km/hr. The viaduct will cross large bodies of water over which noise will carry further than might be the case over dry land. The tunnel portals at each end will create their own noise impacts in addition to the impacts of noise from the trains themselves and from the overhead equipment. Your petitioner believes that the Promoter has not taken the local landscape fully into account in assessing noise impact, and is not working to World Health Organisation recommendations for the highest standards of noise control.

3.2.2. The Promoter proposes to operate trains on the railway between 05.00hrs and 24.00hrs daily, using the intervening hours for maintenance work. Maintenance work will involve noisy processes and bright lighting in the hours of darkness, further increasing the nuisance experienced by your petitioner’s members who live within earshot or line of sight of the line.

3.2.3. Your petitioner believes that placing the route in tunnel instead of viaduct in the Colne Valley would remove these impacts. In the absence of a tunnel, your petitioner requests that the hours of operation and maintenance of the railway be curtailed to provide an acceptable period of night-time quiet and darkness.

3.2.4. Your petitioner further requests that the Promoter be required to monitor actual noise levels during operation and enforce limits that will achieve compliance with the World Health Organisation’s recommendations on best standards.

3.3. **Multiple visual impacts.** Your petitioner is concerned that in addition to the proposed railway line itself on a highly visible viaduct, substantial further National Grid infrastructure is to be placed prominently on a valued piece of Harefield’s Green Belt. The scale and prominence of these elements of the proposed railway will directly and adversely affect the character and amenity of the village. Specifically:

3.3.1. Your petitioner’s village benefits from numerous views which will be seriously spoiled both during the construction phase and permanently once the railway authorised by the Bill is operational. The specific alignment chosen for the route will make the viaduct the most prominent feature in the area, visible from numerous viewpoints that currently present attractive countryside, lakes and waterways.

3.3.2. Your petitioner requests that consideration be given to the combined challenge of addressing visual and noise impacts previously described. Design features intended to create a visually attractive viaduct are likely to preclude the incorporation of noise barriers that would be sufficiently effective to address the noise impacts previously described. Your petitioner believes that the choice of a viaduct for the route in this area makes it impossible to lessen the visual impact without aggravating the noise impact, and vice versa. Your petitioner suggests that placing the line in tunnel throughout the Colne Valley is the only way to address these inter-related impacts. Should your Honourable House decide not to require a tunnel, your petitioner requests that the Promoter be required to consult meaningfully on the viaduct design and ensure that its specifications take into account the special characteristics of the Colne Valley and the needs of its residents and visitors.

3.3.3. Your petitioner is further concerned about the implications of placing a permanent National Grid Feeder Station and access road on
valued amenity land close to South Harefield. This structure will be clearly visible from roads and surrounding footpaths and will be unsympathetic towards the surrounding environment. This will have a significant negative impact on the landscape, and ruin the natural appearance of the local environment on this important approach road to the village.

3.3.4. Your petitioner requests that the Promoter be required to locate this element much further away from the residential area and to ensure that sympathetic screening is planted around it in advance of works commencing. Your petitioner also requests that the Feeder Station itself should be designed sympathetically to fit in with the surrounding environment, and be maintained to a high standard. Meaningful consultation with your petitioner at the design stage could yield constructive solutions on these short and long term issues.

3.4. Local business and employment.

3.4.1. Harefield is home to numerous businesses whose success is at least partially dependent on the character of the location such as fishing, canal boating, other outdoor activity-related businesses and hospitality venues that enjoy important local views. These businesses provide valuable local employment and enhance the reputation of the village. During construction and operation of the railway the noise, visual, traffic and environmental impacts will damage these location-sensitive businesses and put jobs at risk.

3.4.2. Your petitioner’s members, especially those who are elderly or with impaired mobility, rely heavily on local shops, pubs and restaurants and particularly appreciate the type of personalised and sensitive service that can be offered by local independent traders. Your Petitioners fear that these businesses, and especially businesses in South Harefield at the junction of Harvil Road and Moorhall Road, may become unable to trade because lengthy and extensive construction traffic congestion will impede access by staff, customers and suppliers. This will result in loss of services to your petitioner’s members and loss to the local economy.

3.4.3. Your petitioner is further concerned that major local employers will be adversely affected by construction traffic congestion for several years, potentially affecting their decisions to remain located in the area. These include Harefield Hospital, the Widewater Place business park on Moorhall Road and the Dogs Trust on Harvil Road. As well as providing valuable services and employment opportunities in their own right these and other local employers enhance the reputation of the village.

3.4.4. Your petitioner asks that the likely adverse impacts on the full range of businesses in its area be taken into account in assessing the relative costs of potential mitigation approaches, including the option of a tunnel through the Colne Valley which would remove most of the risk to local businesses.

3.5. Hillingdon Outdoor Activity Centre. The presence of the Hillingdon Outdoor Activity Centre in Harefield attracts many visitors to your petitioner’s area and enhances its reputation. The works proposed by the Bill would render the Centre unviable, and the Promoter currently proposes to relocate the Centre away from Harefield in another Local Authority area. This will make it considerably less accessible to the Harefield community and represent a severe loss of local amenity. Constructing the line in tunnel instead of on viaduct through the Colne Valley would preserve this important
and highly valued Centre as a feature of your petitioner’s area. In the event that the Centre has to be moved, your petitioner asks that a legacy facility be created in Harefield, to preserve the environment-led learning and personal development opportunities it offered locally and provide an asset of equivalent value to the local community.

3. Security and crime prevention: Your petitioner is concerned that the Caine Valley viaduct and related construction sites proposed to be located in the area will become the focus of considerable hostility and protest both during the construction years and when the railway becomes operational. The proposed viaduct is in a sparsely populated but easily accessible part of the Caine Valley. Your petitioner fears that a viaduct constructed on pillars accessible from the surrounding fields, roads, Public Rights of Way and open spaces will become a target for graffiti and other types of antisocial behaviour. Your petitioner’s local police force now routinely considers HS2 as part of its local risk assessment. Your petitioner requests that adequate additional, dedicated police resource be allocated to this sensitive area during construction phases and that the design specifications for the viaduct should specifically include requirements to minimise the viaduct’s vulnerability to criminal or anti-social activity.

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

Doreen McIntyre (Agent for Harefield Tenants and Residents Association)
17 April 2016
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Julia Glanfield

Declares that:

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

2. Your petitioner

   The petitioner is a resident of and owner of property in Wallington Close, Ruislip. The property is in close proximity of the proposed route.

3. Your petitioner’s concerns

   HS2 will have a devastating effect on vast areas of our country and the whole area of Ruislip, Harefield and Ickenham. There will be significant impact on air quality and noise, affecting the livelihoods of people trying to get to their jobs every day. Temporary closures of Breakspear Road South and Harvil Road during the construction period, will cause further chaos and greatly increase daily commute times. The extra traffic, noise and disruption of construction will also cause untold stress to residents, potentially causing depression and anxiety. We have lived here for over thirteen years and are distraught at the potential impact. Many surrounding areas are very picturesque and HS2 will be a huge blight on the landscape, impacting local wildlife and causing irreparable damage. We are petitioning against the whole bill, as we feel it is an unnecessary construction and far too costly, which the Country can ill afford. A more responsible action would be to improve the current rail system - saving money and avoiding disruption to people’s daily lives. Great Britain is a lot smaller than other countries operating high speed rail and HS2 is just unnecessary.

4. The prayer

The petitioner therefore asks the House of Lords that she, 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.

Julia Glanfield

15/04/2016
PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF NETLEY PRIMARY SCHOOL

Declares that:

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

2. Your petitioners are

The governing body of the school representing the children, their families and the school. Netley Primary School, 74 Stanhope Street, London NW1 3EX is on the Regents Park Estate in the London Borough of Camden. The school has existed on this site since 1883, and is attended by 460 children aged from 3-11yrs including 23 children with multiple disabilities in specialist ASD resource base.

This is an area of high deprivation, and we have a higher than national average number of children with English as an additional language, free school meals, pupil mobility and statements of special needs amongst other indices. We are a joyous community, where our multilingual children are happy and achieving well in our fast improving school. We have just completed a major capital rebuild, with a change in postal address, and our children were looking forward to a period of stability for their younger siblings. We share our campus with Robson House, a primary learning support unit, whose pupils are also affected by HS2 like the pupils of our school.

3. Your petitioner's concerns are

3.1 That our concerns have not been addressed by the Select Committee in the House of Commons and the assurances Camden Council have entered into with the promoter do not go far enough and are not enforceable. We have had no “engagement” from HS2 Ltd since September 2015, and have no confidence that we will not continue to be ignored.

3.2 We support the petition of the Camden Cutting Group who are our neighbours in the Regents Park Ward. Their petition sets out in detail the impacts on the community that also affect us, so we will not repeat them in this petition, having asserted them.
3.3 We share the common concerns of the Camden communities, as discussed and agreed at public meetings during March 2016.

A. Spoil removed by rail not lorries
B. Fair urban compensation and independent adjudicator
C. Mitigation for 20 years construction, agreed and adequately monitored
D. Minimal disruption & duration of every aspect of HS2 construction
E. Enforcement and fines for breaches of the Code of Construction Practice (CoCP)
F. Local Environment Management Plan (LEMP) actively enforced by officers on the ground
G. No demolition until we have the agreed integrated plan for Euston station
H. An integrated plan for HS2, classic Euston, Crossrail 2 and local transport
I. No temporary or permanent loss of public green/open spaces and trees
J. No worsening of air quality from HS2 pollution – monitor and improve current levels now
K. Independent costings & technical assessment of HS2 & alternative railway schemes
L. Old Oak Common costings to be calculated as per Lords request
M. Timely information from HS2 enabling genuine engagement – HS2 has failed to engage
N. Euston Station including HS2 and Crossrail 2 to be rebuilt in same footprint
O. No additional railway scheme into Euston until local transport has capacity

3.4 Our particular concern is AIR QUALITY

3.4.1 Background
Netley Primary School has between 350 and 400 pupils, who mostly walk to the school with their parents through the surrounding HS2 Safeguarded Zone. The centre of the school’s playground is just 100 metres from the centreline of the Hampstead Road and it sits approximately 200 metres directly west of HS2’s main Euston construction compound.

3.4.2 It is deeply regretted that St James’s Gardens, with three acres (more than one hectare) and 27 pollution-absorbing mature trees will be lost forever because there is no possible similar sized alternative place nearby.

3.4.3 Your Petitioner regards as unsatisfactory that HS2 Ltd has, with a “silo mentality”, elected to deal only with Camden Council as representative of the Community, using the Council as a firewall and avoiding engagement with the community. As a direct consequence, vague, un-demanding undertakings and
assurances have been agreed on Air Quality (AQ), which has facilitated HS2 Ltd proceeding unilaterally. The assurances agreed by Camden Council are not necessarily in the best interests of residents.

3.4.4 Detrimental AQ causes and consequences on Netley Schools
The most detrimental factors that Netley School’s pupils will be exposed to are:

i. black carbon emissions from HGVs, diesel-engined white vans under 3.5 tonnes and NRMMs (non road mobile machinery).

ii. particulates from massive nearby demolition and construction.

iii. loss of dozens of mature trees in St James’s Gardens, those along Hampstead Road (already recently lost) and in Euston Square, which all serve/d to absorb pollution.

3.4.5 A recent six year-long study of 2,400 primary-aged children at 25 schools across east London confirmed that children’s exposure to main arterial roads (with diesel buses, HGVs and taxis generating black carbon emissions) resulted in lung development being permanently impaired by circa 10%. Asthma was found in nearly one fifth of the children studied. This on-going “Exhale Programme” is run by the UK’s leading academic research faculty, the Environmental Research Group (ERG) at King’s College(*). The children were found to have an increased risk of diseases such as asthma and bronchitis, resulting not just from high levels of Nitrogen Dioxide but also from small Particulates.

3.4.6 The ES envisages that the Hampstead Road will carry an estimated 1,600 HGV lorry movements each day for many years, between that compound and the Euston Road. Whilst Euro 6 standard for all HS2 HGVs is welcomed, the fact remains that their diesel engines do emit Nitrogen Oxides and Particulates - albeit very small. But it is the smallest black carbon particulates that damage health by entering the blood stream.

3.4.7 Within a radius of less than 300 metres of the school’s playground a large numbers of demolition vehicles, cranes, bulldozers etc (known as NRMMs) will be operating. These vehicles’ highly polluting engines, in medium and long-term fixed locations, will only conform to very low Euro 3B emission levels until 2020.

3.4.8 The current situation
Despite Netley School and dozens of other Camden Petitioners to the Commons Hybrid Bill Select Committee, the subject of AQ elicited only one paragraph in the Committee's second report. Para 232 called for: "....keep in mind an aspiration of improving the baseline air quality in Camden. The current position is clearly unsatisfactory." Mitigation requests to the Commons Committee by residents and groups have, so far, gone unanswered and unaddressed. The biggest single measure to help mitigate air quality (AQ) ramifications would be for the maximum spoil and construction material to be transported by rail.

3.4.9 Camden Council has had government funding hugely reduced in the last few years and its future funding stream is known to be decreasing, which results in the fact that Camden Council is inadequately resourced to provide the necessary expertise and vigilance in either negotiating or enforcing AQ measures.

3.4.10 The Air Quality measures we seek
An independent adjudicator to be tasked with overseeing air quality, investigation of breaches and to be empowered where appropriate to stop demolition/construction and ensure suitable remedies are implemented.

3.4.11 A Monitoring Station at the gates of Netley Primary School on Netley Street to recognised "automatic" standard to measure Nitrogen Dioxide and PM2.5 and PM 10 Particulates in real times, publicly accessible on the internet, to be Installed one year prior to commencement of works and maintained throughout the years of construction by HS2 Ltd (or its nominated Undertaker).

3.4.12 All HS2-related diesel-engined traffic to be banned on Hampstead Road between the main construction compound and Euston Road in the periods when parents and children are accessing Netley Primary School - 8.00am to 9.30am and between 3.00pm and 4.30pm.

3.4.13 HS2 Ltd to articulate exactly what measures it proposes to comply with the Commons Select Committee's "aspiration of improving the baseline air quality....." in particular for the 300 metres of Hampstead Road between Euston Circus and the entrance to the Main HS2 Compound just north of Netley St.

3.4.14 Camden’s resident groups, organisations, schools and businesses to be accorded a formal interface with HS2 Ltd, in addition to Camden Council, over the location of AQ monitoring stations.
3.5 In addition, your petitioner wants a proper investigation of Old Oak Common as a temporary terminus to allow further time to get the Euston design right and to allow Euston to be rebuilt within a shorter timeframe. We are not asking to delay Phase 1 of HS2 nor necessarily for the station as a permanent terminus nor even for a major redesign of what is currently proposed at OOC. The objective is to allow a quicker rebuild of Euston with fewer impacts all round.

3.6 The duration of construction for the west part of the proposed Euston station will last until 2033 which increases the impact of the construction of HS2 on the lives of the children with consequent health and cognitive development impacts of long duration, and of with reduced life expectancy.

3.7 The construction of a higher, wider and longer Hampstead Road Bridge will create severance in the community as well as increasing night work with pile driving which will disturb the sleep of the children over many years to the detriment of their learning.

3.8 There is no calculation of the combined impact over many years of the individual significant residual effects, and end to end “temporary” works, meaning that habitability criteria over issues of noise, pollution, vibration and all the issues to do with construction have not been reasonably assessed, nor has compensation been provided and detailed.

3.9 Construction traffic of heavy good vehicles on residential streets in the Regents Park Estate, will increase by over 20% to remove the additional spoil created by the construction of a larger station basement and line X, which will in turn increase the pollution and traffic around the school.

3.10 There is no clear overall plan for the development of Euston station and approaches, and the subsequent over site development. There are massive cost increases, and the economic case is not proven.

3.11 The environmental statement assessments are full of mistakes and omissions, the equalities impact assessment does not even mention Netley School.

3.12 Therefore your Petitioners ask for the following changes and mitigations and if these are not possible, then they ask that Old Oak Common is made the London terminus, at least until there is a coherent plan for the development of Euston Station.
3.13 Detailed planning for Euston station and approaches must include genuine consideration of the same footprint plans such as Euston Express, High Speed UK and Double Deck Down. This needs to be coordinated with a national railway network strategy as well as Crossrail Two and the London Underground. Your petitioners urge you to use Old Oak Common (to the west of Euston) as a temporary terminus at least to give time to develop a clear plan for the development of Euston station and approaches.

3.14 Spoil should be taken out by rail, not by hundreds of HGV lorries on residential streets. Deliveries should also be by rail, with penalties for transgressions.

3.15 An architecturally pleasing bridge must be designed for the Hampstead Road replacement, if the case for greater height and size is made.

3.16 There must be urgent discussions now for adequate provision of green and open spaces and playgrounds, both during construction, and after completion. These must be agreed in advance and be at least equivalent to the present areas and numbers of mature trees.

3.17 Information reasonably required by your petitioners must be provided in time for presentations to select committee. There has been a singular failure by HS2 to provide this information during the so-called engagement process, nor can the answers be found in the documentation.

3.18 Your petitioner is concerned that the school will be less attractive to parents once it is in the middle of such a large infrastructure project of such long duration. You will be aware that schools are funded by number of pupils and a falling roll reduces the financial allocation, while not removing the basic cost of providing a qualified teacher in every classroom.

3.19 Therefore your petitioner seeks a guarantee to provide a funding safety net and guarantee Netley the level of income the school would have received if the school were fully enrolled with 30 children in every class.
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: Dorothea Hackman........................ Signature.
Agent
Vice-chair Governing Body

Name: Bavaani Nanthabalan...................... Signature..................................
Executive Headteacher

Name: Anthony Stoll......................... Signature..................................
Chair Governing Body
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Westmark Investment Properties Limited

Declares that:

1 The petitioner is specially and directly adversely affected by the proposed acquisition of its interests in land pursuant to the High Speed Rail (London – West Midlands) Bill’s (hereinafter referred to as “the Bill”) as follows:

   a. Clause 1 (Power to construct and maintain works for Phase One of High Speed 2), Clause 2 (Further provision about works), Schedule 1 (Scheduled Works) and Schedule 2 (Works) (hereinafter referred to as "the Works Provisions");

   b. Clause 3 (Highways) and Schedule 4 (Part 4, Table 3; Area: London Borough of Ealing; Highway or part to be stopped up: West Gate) (hereinafter referred to as "the Stopping Up Provision"); and

   c. Clause 4 (Power to acquire land compulsorily) and Schedule 5 (Area: London Borough of Ealing; Number of land shown on deposited plans: plots 456, 457, 459 and AP4-1) (hereinafter referred to as "the Compulsory Purchase Provisions").

Your petitioner

2 The petitioner is WESTMARK INVESTMENT PROPERTIES LIMITED (hereinafter referred to as "Your Petitioner").

3 Your Petitioner is a property investment company which currently owns a number of commercial property investments in London and Bristol. Your Petitioner began as a property development company, initially concentrating on residential development, and has a historical track record of development and investment in the commercial and residential sectors.

4 Your Petitioner is part of the Lewis Trust Group, a large and wholly privately owned group. The group is involved in investment and development (through Your Petitioner’s business), fashion retailing (through River Island, one of the leading fashion brands in Europe), fund management (Cavendish
Asset Management), private equity investing and hospitality. Your Petitioner is owned within the Lewis Trust Group corporate structure.

5 Your Petitioner is the freehold owner of land (hereinafter referred to as "the Property") comprising: title numbers AGL 113885 and NGL 601910 known as Land on the north side of Westgate Ealing comprising a building known as West World (hereinafter referred to as "West World") and car parking surrounding. Your Petitioner’s title to the Property is within the common ownership of the Lewis Trust Group.

6 The Property is let to a number of tenants. This includes a number of leases of parts of West World. The tenants include River Island Clothing Co. Ltd (hereinafter referred to as "River Island") as well as Mercedes-Benz Retail Group UK Ltd. Those tenants as well as a number of other tenants have rights (including granted by leases) to use the surrounding car park comprised in both title numbers referred to above.

7 This petition is submitted in objection to the Works Provisions, the Compulsory Purchase Provisions and the Stopping Up Provision because these injuriously affect Your Petitioner’s rights, interests and property for reasons amongst others, hereinafter appearing.

*The Works*

8 When the original Bill was introduced in the House of Commons on 23 November 2013 (hereinafter referred to as "the Original Bill"), it sought the compulsory acquisition of:

a. the entrance to a car park located to the east of West World owned by Your Petitioner and leased to River Island and other tenants;

b. land immediately to the west of the West World building to facilitate works to the Thames Water Sewer – this also includes land owned by Your Petitioner, and

c. the entrance to the West World Car park to the west of West World.

9 When the Original Bill was amended in October 2015 by Additional Provision 4 (hereinafter referred to as "AP4"), it additionally sought to authorise the compulsory acquisition of a significant area of car parking owned by Westmark and leased to Your Petitioner and tenants of West World as well as other interests.

10 Your Petitioner petitioned the House of Commons in objection to AP4, appearing before the Commons Select Committee on 25 January 2016. AP4
was incorporated by the House of Commons into the Bill now before the
House of Lords, as included within the Compulsory Purchase Provisions to
which Your Petitioner objects for the following reasons.

Impacts on Your Petitioner

11 Parcel 460 shown on Sheet 1-21(DWg No. C221-MMD-HY-DPL-010-102100)
is a vehicular entrance to Your Petitioner’s car park to the west of West
World, over which rights of access are exercised by Your Petitioner. The
proposed freehold acquisition of this land by the Promoter will sever the
Property (consequent of the undertaking of works proposed to be
authorised by the Works Provisions) and the use of its car park by occupiers
will not be possible.

12 Your Petitioner raises the following issues with regard to the impact of the
Compulsory Purchase Provisions on the Property:

a. The impact on Your Petitioner has arisen due to the proposed
relocation of the West Gate ventilation shaft. This was to be located
on the site of an existing builder’s merchants to the south of West
Gate and opposite the West World building. It is now proposed to be
located on the site of an existing car park to the west of the
Manhattan Business Park. That would result in the permanent loss of
car parking at that location. That car parking is proposed to be
replaced. It would be replaced by constructing a two-level multi­
storey car park on the car park to the north and east of West World.
Use of this car park (which is owned by Your Petitioner) for surface
car parking in planning terms is authorised pursuant to a Certificate
of Existing Lawful Development. The revised Environmental Statement
issued by the Promoter for the works indicates that it was not
considered necessary to make changes that require a reassessment of
the environmental effects on matters including socio-economics. No
balance has been undertaken by the Promoter to assess the impact
on the loss of the builder’s merchants (which Your Petitioner
understands is no longer being promoted under the Bill) as against
the impact of the new proposal which will remove an essential
parking facility. This could create severance to adjoining interests
including the threat to the continued operation of Your Petitioner’s
business interests.

b. The car park surrounding West World is occupied by River Island as
well as a number of tenants of West World who are dependent on car
parking for their occupation.

c. The dependency on car parking is significant in this area. River Island
has approximately 1,000 employees working from Chelsea House. In addition there are contract workers and sub-contractors as well as a high level of visitors including fashion designers and buyers. There are 29 different occupiers of West World with approximately 330 employees and those occupiers have use of the car parking. Your Petitioners have been advised by its letting agents that any reduction in the provision of car parking would affect the letability of West World and the consequential impacts on value. One of Your Petitioner's tenants, Mercedes-Benz has written to Your Petitioner indicating their support for the submission of this Petition.

d. A number of employees work unconventional hours and the safety of staff is paramount. The existing security in place to reach the nearby Hangar Lane underground station has to be supplemented with the establishment of walking groups and Security escorted journeys to the Hangar Lane tube station and bus stops for out of hours' employees. There is insufficient information from the Promoter on the impacts that the proposed works will have on pedestrian routes to and from Hangar Lane. As the existing builder's merchants' lorries park on Westgate any further construction traffic would increase safety concerns through additional HGV movements.

e. No analysis has been undertaken by the Promoter on the impact of the land proposed to be acquired comprised in the Compulsory Purchase Provisions will have on Your Petitioner for the following reasons:

   i. There is no detail of how construction of a car park would be undertaken and the periods within which possession, even on a temporary basis, would be required. The lack of any alternative car parking if even on a temporary basis could result in West World losing its existing, and being unable to attract future, tenants. River Island will need to review whether the lack of car parking renders its current occupation unsustainable arising from the severance created. In addition the potential for occupiers to not renew their leases if the car parking is lost could lead to other tenants' businesses leaving the Ealing area.

   ii. This is considered to be a socio-economic impact which the Promoter has not addressed. Further as the Promoter is proposing permanent acquisition of this land there is no mechanism as to whether the land would be returned to Your Petitioner and on what basis or for its ongoing management.
There will be additional works required to construct a car park and the impacts during construction on the occupiers of West World and Chelsea House have not been addressed nor outlined to Your Petitioner. Such construction works for a car park will be closer to West World than the original location for the vent shaft. However it is noted that the updated Environmental Statement states that:

"4.1.132 Temporary significant construction noise effects that were identified in the main ES on a reasonable worst-case basis at the following non-residential receptors are no longer likely:
• Commercial operations in Westworld, West Gate, London W5 1EL (CSV05-No4, assessment location 494242)"

West Gate is the only route for deliveries and access to Chelsea House and West World. It is also the only emergency access route. The Bill (as amended by AP4) proposes a longer construction route encroaching further into West Gate to reach the proposed relocated vent shaft. This has the potential to provide direct conflict with deliveries into Chelsea House which have not been assessed. The compulsory acquisition of the highway known as West Gate as well as Schedule 4 to the Bill which, if enacted, would permit the temporary stopping up of highway, pursuant to the Stopping Up Provision, could lead to the inability to access Chelsea House and cause them to cease operations.

Your Petitioner further submits, as Your Petitioner submitted to the House of Commons Select Committee in Committee on 25 January 2016, that the Promoter has not demonstrated a need to compulsorily acquire Your Petitioner's land pursuant to the Compulsory Purchase Provisions. The Promoter issued a Technical Note on its case for introducing AP4 on 16 October 2015 (and which post-dated the publication of AP4). This document (reference C221-MMD-CV-NOT-010-400000) does not demonstrate the need for the acquisition of plot AP4-1. To establish and evidence that need, the Promoter undertook (following Your Petitioner's submissions to the House of Commons Select Committee) to carry out a car parking feasibility study (hereinafter referred to as "the Feasibility Study"). However, the Feasibility Study has yet to commence, despite the Promoter's agreement that it would be completed by May 2016. This is explained at paragraph 202 of the House of Commons Select Committee Report (22 February 2016), as follows:

"The River Island clothing company has business premises in Ealing. AP4 gives the Promoter powers to put car parking facilities onto that land to
accommodate car parking space displaced by construction works on the Westgate vent shaft. River Island objected, saying that, whereas the displaced car parking could be the subject of monetary compensation, the effect on their business would be unquantifiable and could reduce their ability to expand. The Promoter agreed to commission a review of requirements and options which will report by May 2016, and which will include examination of access issues. If the study finds that there remains a need for the Promoter to use River Island premises, the Promoter should minimise the duration and extent of intrusion onto the premises of this successful business. We are pleased that the Promoter has agreed to seek to avoid any permanent acquisition. An agreement between the parties provides a dispute resolution procedure. The petitioner will be free to appear before the House of Lords select committee if necessary.

14 The Promoter needs to undertake this assessment having regard to both the current and any known future occupation and uses on the Promoter’s land as well as the land comprised within plots AP4-9 and AP4-12.

15 In any event Your Petitioner submits that there is no justification for acquisition of Your Petitioner’s land in AP4-1 as an accommodation work when compensation for the relevant owner’s interest being displaced by the ventilation shaft would be adequate.

16 In October 2000 planning permission was secured for the car park area included with the land proposed for the Compulsory Purchase Provisions. This outline planning permission (P/1997/2710) provided for up to 12,077 sqm gross office floor space limited to 5 stories and up to 257 car parking spaces. This principle of development of the site will be lost by any proposed permanent construction of a multi-storey car park on the land over the land outlined to now be acquired. The Lewis Trust Group is proposing to accommodate future expansion of River Island on land surrounding West World which will no longer be possible because of the land proposed for acquisition in the Compulsory Purchase Provisions. That planning permission also provided for a link road through to Quill Street which if implemented would have reduced the impacts on West Gate which will now be exacerbated by additional traffic caused by HS2. Counsel for the Promoter indicated in the House of Commons Select Committee that the Promoter could look to provide assistance to Your Petitioner in seeking a practical solution on this alternative access issue through meaningful discussions. Those discussions have yet to conclude. River Island has one of the largest fashion design studios in the UK. The product and design teams need to be co-located. The proposed expansion plans would include large floor plates which are naturally lit, key space requirements for the intended use. Your Petitioner considers that it is important to retain River Island’s operation in its current location which is a large employer in Ealing.
Requested undertakings

17 Your Petitioner objects to the acquisition of its interests and respectfully submits that the Compulsory Purchase Provisions which affect Your Petitioner should not be passed into law. The Promoter should be seeking to reconfigure the space required and location for its ventilation shaft so as to avoid any impact on Your Petitioner’s tenant's occupation of plot AP4-1. Your Petitioner seeks an undertaking from the Promoter that it will no longer seek compulsory acquisition powers from Your Petitioner’s interests.

18 In any event the Bill as proposed even without the Compulsory Purchase Provisions on plot AP4-1 would provide for the compulsory acquisition of the entrance to Chelsea House which also serves as an entrance to part of the West World car park owned by Your Petitioner rendering it severed with no alternative proposed. No undertaking could overcome this issue unless the Promoter will maintain access to the Property at all times when the Petitioner requires access for operational purposes.

19 Irrespective of whether the Compulsory Purchase Provisions are contained within the Bill, the temporary stopping up of Westgate pursuant to the Stopping Up Provision and/or the use of Westgate for construction traffic renders the existing users interests injuriously affected and undertakings need to be agreed with Your Petitioner so as to enable access over Westgate with no less commodious arrangements as currently exist and which benefit Your Petitioner.

20 Your Petitioner respectfully submits that, unless the Bill is amended as proposed above, those clauses seeking to authorise compulsory acquisition together with the deposited plans so far affecting Your Petitioner, should not be allowed to pass into law.

Conclusion

21 Your Petitioner submits that the Bill fails to safeguard and protect the interests of Your Petitioner and should not be allowed to pass into law without these issues mentioned above being addressed.
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 by Jonathan Bower of Bond Dickinson LLP as Agent for your Petitioner
18 April 2016
To the House of Lords  
Session 2015–16  

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF RICHINGS PARK RESIDENTS’ ASSOCIATION  

Declares that:  

1. The petitioner is specially and directly adversely affected by Additional Provision 4 (October 2015)  

2. Your petitioner  

   The petitioner is Richings Park Residents’ Association which represents all the 740 householders of Richings Park, in the Parish of Iver, Buckinghamshire, many of whom will be directly and specially affected by the Additional Provisions. The Association was formed when the estate was built in the 1920s as a garden village. Richings Park is located in the narrowest part of the green belt between Slough to the west and the London Borough of Hillingdon to the east. It is a leafy residential area in the Colne Valley Park served by narrow rural roads.  

3. Your petitioner’s concerns  

   Although your petitioner has given evidence to the House of Commons Select Committee, there are matters which still cause your petitioner great concern.  

   Mitigation for Local Impact.  

   The impacts of this development will be significant in this rural environment in the Green Belt both during construction and operation. The residential roads were not built to take heavy HGV construction traffic which will pass along them during the construction of the Scheme as part of the routing arrangements. This will create dust, noise and poor air quality for those living on or close to the roads to be used as access routes for the construction sites, affecting their quality of life.  

   The proposed depot will mainly operate day and night. Therefore the noise from the trains would be a feature during the greater part of each day and a significant part of each night. The new tracks from the depot would join the main lines just to the west of the houses in Bathurst Walk in Richings Park, and residents would be subject to the noise from the screech of wheels, brakes and shunting, particularly at night.  

   Your petitioner therefore asks that, taking into account the other developments in the area, the Promoter provides funding for potential improvements to the public realm in the village of Richings Park and other villages in Iver, as it has done in Langley.
Access to the Community and Environment Fund.

Given that the Heathrow Express Depot is not on the HS2 route, it is not clear whether our local community can gain access to the Community and Environment Fund. The criteria for applications to such funds include that the community is on route. For the purposes of eligibility to apply for these funds and other assurances that have been given, your petitioner asks that the Promoter expressly details that the Heathrow Express depot and its associated tracks are part of the HS2 project and included in any reference to on the route.

Community Engagement

Your petitioner is disappointed that there has been no community engagement with our local community at all to date. Thus it was not possible for the community to have any input into the development of any of the proposals, unlike the situation elsewhere along the route. We ask that this situation is rectified as soon as possible.

4. The prayer

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.

Signed

Print WENDY MATTHEWS

Chairman Richings Park Residents' Association

Signed

Print GRAHAM YOUNG

Agent

Date 16/4/16
To the House of Lords
Session 2015–16

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

THE PETITION OF Great and Little Kimble cum Marsh Parish Council
Declares that:

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

2. Your petitioner

The petitioner is Great and Little Kimble cum Marsh Parish Council. Your Petitioner is the Parish Council of Great and Little Kimble cum Marsh, which covers an area at the foot of the Chilterns Area of Outstanding Natural Beauty in the Vale of Aylesbury and consists of flat and gentle rolling countryside. The constituency contains approximately 394 homes spread across 1,212 hectares. The main settlements are Smoky Row, Clanking, Marsh, Kimblewick, Little Kimble and Great Kimble.

3. Your petitioner’s concerns

Noise resulting from New Stoke Mandeville Bypass A4010

The town of Aylesbury will be cut off from a large number of residents of the Parish of Great and Little Kimble cum Marsh as a result of the scheme. The effects of the new A4010 Stoke Mandeville Bypass (A-road) to access Aylesbury have not been properly and fully considered within the Bill. The noise will be constant and intrusive to local residents. Within the Environmental Statement, topographically it appears that the new road will run towards or on top of a rise. Your Petitioner is therefore concerned that it is unprotected, and road noise will carry a considerable distance to the South. The noise maps included within the Environmental Statement Additional Provisions (SV-05-021) appear to only take the railway into account and do not seem to relate to the A-road there are no mitigation measure in place in the Environmental Statements.

Your Petitioner would request that further details, including a noise survey to include the effect of the road are provided in this respect. The construction of this road has the potential to cause significant environmental damage to your Petitioner’s Parish. Appropriate justification measures for the new A-road are not currently included in the Environmental Statement. Furthermore, there does not appear to be acceptable mitigation works for the new A-road as it is currently proposed.

Your Petitioner requests mitigation measures to reduce noise pollution as a result of the new A-road are consulted upon. Landscaping, barriers, cuttings and embankments are all found on maps SV-05-021 AP1 in relation to the railway and no measures are in place to mitigate the effect of the A-road. Additional spoil from the construction of the railway could be used to provide noise bunding to the south of the A-road.

Your Petitioner requests the surface of the A-road includes noise reducing properties, and the methods and materials used mitigate the impact of the noise that a new highway will create.
Tree planting

Your Petitioner requests a tree planting assessment is undertaken immediately to plan for mitigating the effects of noise, dust, and visual impact of both the construction phase and the operational phase.

Your petitioner considers the early planting of the trees an essential part of the mitigation and accommodation works to reduce the impact of the scheme on the parishioners. Growth periods and seasonality will all affect the effectiveness of the planting and sufficient timescales need to be allowed to ensure the trees are sufficiently mature and established.

The HS2 Ltd Corporate Plan 2015-2018 clause 2.8 focusses on sustainability with a key theme to “seeking to avoid significant adverse effects on communities, businesses and the natural, historic and built environments”, the request for advance tree planting your petitioner considers will assist HS2 in meeting this objective.
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.

Edward Henry Stephen Briggs

18th April 2016
To the House of Lords

Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF NICOLE ROCHMAN

Declares that:

1. The Petitioner is specially and directly affected by the whole of the Bill, those parts which relate to the construction and operation of the railway within the Chilterns Area of Outstanding Natural Beauty ("the AONB"), the Misbourne Valley and the area around Little Missenden in Buckinghamshire in particular.

2. The petitioner is resident in Little Missenden and is the joint freehold owner of Pyrton Cottage, Little Missenden HP7 ORA in the Chilterns AONB. Your Petitioner moved to Little Missenden from London to bring up her family in a tranquil rural environment. Your Petitioner was delighted to have found a peaceful Property on the edge of a small rural village community with wonderful views across the chalk streams and ancient woodland of the Misbourne Valley which has excellent transport links, with both Amersham and Great Missenden stations accessible in under 10 minutes. Your Petitioner believes her current rural situation in the Chilterns AONB within easy reach of transport to London and the Midlands is difficult to match elsewhere. Your Petitioner's property is in close proximity to the proposed Little Missenden and Potter Row construction sites and the Property is accessed via the A413, which will be used by construction traffic during the construction of the Scheme. The points of most concern to your Petitioner in relationship to the scheme are the impact of construction traffic across several years, the potential for significant adverse impact on the local business infrastructure, the impact on the tranquillity of the area and the permanent environmental impact of the route on the Chilterns AONB.

Construction traffic

3. Your petitioner is gravely concerned that HS2 has failed to take into account limitations affecting capacity on the local main access route (A413). This is used as an essential local access road for residents along the Misbourne Valley and beyond, and HS2 has not adequately explored measures to mitigate the effects of construction traffic. Your Petitioner drives through the Misbourne Valley between four to eight times per day to access her place of employment, her children's schools, healthcare, shops and recreational facilities and will be directly and severely impacted by traffic congestion throughout the area (and on the A413 in particular) for the duration of the construction work. As a part-time worker bound by hours of childcare availability your Petitioner is concerned that her availability to work contracted hours will be affected by increased...
journey times during the construction phase of the project. Your Petitioner is also concerned that the children’s travel to school and out of school activities will be adversely affected during key teenage years, impacting on quality of life and learning. Small communities do not exist in isolation but in a series of networks and timely access to local villages and towns is vital. Congestion on the A413 has already worsened at peak hours, which are significantly more extended than those given in section 12.2.3 of London - West Midlands Environmental Statement Vol 2/Community Forum Area report CFA9 Central Chilterns.

4. Your Petitioner is gravely concerned about the impact of construction traffic on safety in the Misbourne Valley and at junctions listed below in particular, where there have been regular accidents in recent years, including several fatalities and serious accidents. Your Petitioner, along with her children, was recently struck from behind by a car in rush hour period travelling at 50mph at junction a. below, which is poorly designed for safety.
   a. A413 on to Village Road, Little Missenden, West End
   b. Deep Mill Lane turning right onto A413
   c. Nags Head Lane turning right onto A413
   d. Village Road Little Missenden, East End crossing A413 to turn right towards Amersham.

5. Delays caused by accidents, road-works and temporary traffic lights on this route have increased journey times to local villages and amenities (approx 3 miles) by up to 500%.

6. Your Petitioner is gravely concerned about the impact said traffic will have on Village Road, Little Missenden and the lack of suitability for this road for increased traffic. Traffic can back up to a standstill past your Petitioner’s property in Little Missenden when the A413 is slow running. Previous journey times for the 400 metre journey from your Petitioner’s property to the A413 junction alone have taken 10 - 15 minutes. Your Petitioner respectfully asserts that the traffic app proposed by the Commons Select Committee will be of little use at times when congestion through the village severely restricts access to and on the A413 to Amersham, Great Missenden and beyond and would stress that the only amenities in Little Missenden are 2 public houses.

7. Timely access to emergency services including healthcare will be compromised due to road congestion during the construction period, since the A413 and A404 are used for access to the local A&E and maternity departments at Stoke Mandeville and High Wycombe. This will place additional pressure on emergency services.

8. The noise of increased road use and in particular heavy construction traffic is likely to represent an increased disturbance in residential areas in close proximity to the A413.

9. HS2 has not adequately planned for appropriate and safe access for construction vehicles to and from the proposed Little Missenden Vent Shaft and Auto-Transformer Station site, where there is insufficient room to enable vehicles to turn right to and from the A413.
The AONB - visitors & residents

10. The beauty and tranquillity of the Chilterns AONB attracts many visitors. With excellent road and public transport connections, including the Tube, The Misbourne Valley between Amersham and Wendover is particularly accessible for cyclists, walkers and horse-riders from London, the South East and the Midlands. Your Petitioner is concerned that blight on the area during the construction phase and the continuing audible and visual intrusion of the railway in operation will deter the visitors on which the Little Missenden and Great Missenden infrastructure depends. This tourism contributes to the social and economic buoyancy of the area, supporting local amenities, including public houses. The impact of a reduction in visitors and resulting loss of key businesses and amenities will have a severe impact on local residents. The peaceful setting for the Little Missenden Festival, now in its 56th year, is vital for attracting the audiences upon which its continued iterations depend. The beauty and tranquillity of the Misbourne Valley are often cited as a key reason for moving to the area, and the construction and operation of the railway will impact heavily on many. The stress of the prospect of the work and opening of the railway is already having a negative impact on the health of many residents. HS2 Ltd could do more in planning the route and its features to preserve the beauty, peace and tranquillity of the valley for future generations of residents and visitors.

Water courses

11. Your Petitioner's Property lies within a flood plain but no documentation shows that it has flooded to date. Your Petitioner is concerned about potential changes to water courses and the risk of pollution as a result of construction. The aquifer provides a significant proportion of the drinking water to the local area and parts of London.

Long tunnel and alternative mitigations

12. Your Petitioner requests that the above concerns are mitigated through construction of a long tunnel through the whole of the AONB on the basis of the proposal T3i as developed by HS2. Your Petitioner understands that HS2 Ltd acknowledges that the construction and operation of an extended tunnel is viable within the required timetable and would offer significant advantages environmentally, socially and for local enterprise. Given the long term significance of this decision your Petitioner would welcome further review and detailed comparisons with long term impacts, local losses and the costs of alternative mitigation resulting from the currently proposed scheme.

13. The Petitioner respectfully urges the House of Lords to pass the Bill only once solutions, satisfactory to the Highways Authority, have been found to the many anticipated problems of traffic congestion resulting from the activities of HS2 Ltd. The Petitioner would respectfully request consideration of the following measures:

- Restricting HGV movements during peak times Monday to Friday throughout the Chilterns AONB and along school routes for 30 minutes before and after the start and end of the school day.
- Prohibiting construction vehicles from travelling into or traversing through Little Missenden during the construction phase. Compliance with this restriction should be monitored and enforced.
• Ensuring that unimpeded access to and from the A413 from the village both westerly (to Great Missenden) and easterly (to Amersham) is maintained at all times to allow villagers access to places of employment, hospitals, doctors, shops, schools, transport and recreational facilities and in turn to allow visitors to access to two schools, two pubs and to the residents of the village.

• Putting measures in place to eliminate the risk of rat running through the village when delays build-up on the A413. This is a feature of the present situation on the A413 when there are delays or accidents, which occur regularly. Any additional traffic and restriction of its flow will exacerbate this difficulty.

• Full consideration should be given to reviewing the junctions outlined in 4) above and appropriate measures put in place at the cost of HS2 Ltd.

• Measures should be taken to reduce the impact of the noise of rolling tyres of increased construction traffic by requiring HS2 to cover the costs of resurfacing the A413 near residential areas such as Little Missenden with a noise-reducing road surface.

• Requiring HS2 to underwrite the costs of adequate maintenance of roads suffering increased wear and tear as a result of increased HGV movement and of road cleaning and dust reduction.

• HS2 Ltd should be required put appropriate measures in place to ensure that emergencies receive a prompt response.

14. The provisions in the draft Code of Construction Practice regarding water are inadequate should be monitored by an independent body.

15. 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.

NICOLE ROCHMAN

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

PETITION against the  

High Speed Rail (London – West Midlands) Bill  
THE PETITION OF RADSTONE RESIDENTS GROUP  

Declares that:  

1. The petitioner is a group of Radstone residents who are specially and directly adversely affected by the whole Bill.  

2. Your petitioner  

The petitioner is a group of residents of the village of Radstone, Northamptonshire which is located on the Whitfield Road. The group was formed in July 2013 in order to co-ordinate our response to the draft and final Environmental Statement for HS2.  

Your petitioners properties are in close proximity to the proposed rail line. They are between 250m – 400m from the line, in a rural location. Therefore your petitioner’s properties will be subject to noise, and negative visual impact during the operation of the trains and significant disruption during the 3 years of construction.  

3. Your petitioner’s concerns  

Your petitioners will be directly and adversely affected due to:  

The impact of the construction programme and severe disruption to the village of Radstone. Evolving construction plans by HS2 have for example introduced the concept of a haul route that will as currently being conceived, have a severe impact upon the village. Your petitioners request that restrictions are placed upon the impact of the construction programme upon Radstone, for example not to proceed with a haul route in the section around the village.  

The construction programme and operation of the railway will severely impact impact upon the village and the petitioners are requesting appropriate compensation due to construction and adverse affects upon daily life.
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 petitioners remain, etc.

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

Your Petitioner is, Michael D Cottam, resident at Barn Lea, Oxford Street, Lee Common, Great Missenden, Buckinghamshire HP16 9JP, 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

3.1. Tunnel throughout the Chilterns AONB
Your Petitioner as a resident of this part of the AONB is 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 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 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.

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 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 Great Missenden and Wendover, 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.

3.2. Your Petitioner accordingly emphasises 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
Petitioner requests 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 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 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

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 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 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 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.

(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]
Michael D Cottam

[17th April 2016]
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Simon Glanfield

Declares that:

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

2. Your petitioner

   The petitioner is a resident of and owner of property in Wallington Close, Ruislip. The property is in close proximity of the proposed route.

3. Your petitioner's concerns

   HS2 will have a devastating effect on vast areas of our country and the whole area of Ruislip, Harefield and Ickenham. There will be significant impact on air quality and noise, affecting the livelihoods of people trying to get to their jobs every day. Temporary closures of Breakspear Road South and Harvil Road during the construction period, will cause further chaos and greatly increase daily commute times. The extra traffic, noise and disruption of construction will also cause untold stress to residents, potentially causing depression and anxiety. We have lived here for over thirteen years and are distraught at the potential impact. Many surrounding areas are very picturesque and HS2 will be a huge blight on the landscape, impacting local wildlife and causing irreparable damage. We are petitioning against the whole bill, as we feel it is an unnecessary construction and far too costly, which the Country can ill afford. A more responsible action would be to improve the current rail system - saving money and avoiding disruption to people's daily lives. Great Britain is a lot smaller than other countries operating high speed rail and HS2 is just unnecessary.

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.

Simon Glanfield

15/04/2016
To the House of Lords  
Session 2015 – 16  

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

THE PETITION OF ROGER L. LOW  
Declares that:  

1. The Petitioner is specially, directly, and adversely affected by Clauses of the High Speed Rail (London – West Midlands) Bill “the Bill” described, below.  

Your Petitioner  

2. The Petitioner is the joint-leaseholder of a detached house at 30 Park Village East, London NW1 7PZ “the property.” The property is held on a long lease from The Crown Estate. The house is Georgian and is a Grade II* Listed Building. The Petitioner and his family have lived in this house since 1980. Construction works for the proposed railway will reach within 4 metres of your Petitioner’s front door. Your Petitioner’s health, property, rights, and interests in the property will be injuriously and prejudicially affected.  

3. Your Petitioner is an active septuagenarian but he suffers from pulmonary sarcoidosis, a granulomous growth on the lungs, which means he should avoid exposure to dust, chemicals, fumes, and toxic gases. Promoters state that Park Village East will be occupied by static construction plant, which is both extremely noisy and extremely polluting, in close proximity to his house for a matter of years.  

4. The overall effect of the works will be to make your Petitioner’s home, and those of his neighbours, isolated and uninhabitable for an indeterminately long period of time. Your Petitioner is a 72 year-old man. According to the Document “High Speed Rail (London-West Midlands) Equality impact assessment update CFA1 Euston station and approach” September 2015, your Petitioner qualifies, under paragraph 1.2.4, “Protected characteristics and protected groups” as an “older person,” and in 3 years’ time will qualify as a “very old person” at age seventy-five. Many occupants of Park Village East qualify as “Protected characteristics and protected groups” by nature of their age. According to 1.2.2 of that publication the Equality Act 2010 requires decision makers to have due regard to the need to:  
- “Remove or minimise disadvantages affecting people due to their protected characteristics;”  
- “Take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and  
- “Encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.”  
Your Petitioner estimates that half of the residents of the Listed Buildings on Park Village East, by the time construction is at the mid-way point, will fit the definition of “Protected characteristics and protected groups.”
5. Your petitioner is a member of the Park Village East Heritage Group "PVEHG," which represents residents of Park Village East "PVE" London NW1 in the stretch from Nos.1-36. Your Petitioner fully endorses the Petition lodged by PVEHG (HL:241) and, so far as necessary, adopts it as part of his own. Your Petitioner supports and asks for the relief therein sought, viz., that other residents of PVE (2-36) and I be entitled to the benefit of the Express Purchase scheme.

The construction

6. Works which will take place in front of your Petitioner's property include, but are not limited to, the following, which are more fully described in HS2's Environmental Statements "ES":
   - Demolition of 12 metre high retaining wall from the railway cutting in front of his house
   - Construction of a barrette wall to replace that retaining wall at a height of 35 metres high above HS2 track level plus 15 metres below track level, excavation for which will be within 4 metres of his front door and his office
   - Deep excavation and construction of that, and other, retaining walls in the cutting
   - Construction of a high speed 'dive under,' immediately in front of, and below, his property
   - Demolition and reconstruction of Mornington Street Bridge, the western end of which lies across the street from his property
   - Removal of a major water main from PVE in front of his house
   - Works on the classic railway tracks, signalling and other systems
   - Installation of new tracks, gantries, signals etc. for HS2
   - Works to take place at, or near, his property, continuously, from 4Q2016 through 4Q2026, a period of 10 years of almost continuous disruption with additional, nearby, works continuing through 4Q2033, an optimistic 17 years of disruption
   - Interruptions of access and closure of his road, Park Village East, to vehicular traffic for a period of years

7. Your Petitioner's property dates from the early 19th century and sits on an artificial ridge between the early 19th century canal excavation and later 19th century railway excavation. It has no foundation and merely sits on a base several bricks high. It has, however, been entirely underpinned. Promoters propose digging a trench 100 ft deep immediately in front of your Petitioner's property to construct a barrette wall. Promoters have neither studied the underpinning of your Petitioner's property nor have they done soil testing at your Petitioner's property to ascertain the risk that construction work may pose to the structural integrity of this Crown Estate Property.

8. Your Petitioner seeks an undertaking by Promoters to fund independent experts to survey your Petitioner's property prior to commencement of construction, to establish present soil conditions and stability of the Property, thereafter to monitor effects of vibration and construction at your Petitioner's property on a real-time basis, and to cease works at such time as said experts note prejudicial movement in the structure until such time as construction effects are mitigated, and to guarantee immediate compensation for complete renovation if such mitigation as is presently offered is insufficient.
Your Petitioner's concerns

9. Your Petitioner has met with many, many representatives of the Promoters on numerous occasions, over a period of approximately 6 years. (For simplicity's sake, this Petition will include HS2 Ltd, the DIT, Nominated Undertakers, etc. as the "Promoters.") Your Petitioner has requested changes to the works, appropriate mitigation, and adequate compensation during those meetings and in responses to formal "Consultations" held by the Promoters, and Petitions to the other House. The Promoters have recognised the specific issues facing the Petitioner and his neighbours. However, Promoters have refused to engage on mitigation, and/or compensation.

10. Works to be done in close proximity to your Petitioner's house extend for a period of 17 years. It is worth noting that upon the forecasted completion of works in 2033, your Petitioner will be 89 years old and is unlikely to frequently shuttle up and down to Birmingham a few minutes faster than he would be able to do, today, thus will never benefit from the said works.

11. Your Petitioner works from home in a first floor room overlooking what will be the largest construction site in the UK. HS2 Information Paper E23 “Control of construction noise and vibration” states:

"5. Some buildings and/or their occupants will be treated as special cases:"

[including]

"...those needing a particularly quiet home environment to work in"

Your petitioner is compensated solely on commissions on sales in his business. His target audience is located in the US. Thus, he is particularly active during evening and night hours, in the UK. His home-office is in a first floor room with a large sash window overlooking the construction site. HS2 states that noise levels, forecast up to 90dB, will be reached for long periods of time—at least 18 months—, including during evening and night, and will exceed levels at which workmen are obliged to wear hearing protection.

(This Committee will be aware that such a forecast level is a monthly average and much higher levels will be experienced during each of those 18 months.) It is inconceivable that your Petitioner will be able to carry on a serious telephone conversation with a potential client in the US under those circumstances, thus he should be eligible to be treated as a "special case" (as defined, above).

12. A new "Mornington Street Intervention and Ventilation Shaft" 8 meters high, granted planning permission by means of the Bill, thereby circumventing normal planning procedures, will be built opposite your Petitioner's house on what is now a railway cutting. No matter its design, this building will be totally out of keeping with the Regent's Park Conservation Area as well as the Camden Town Conservation Area on the east side of the railway cutting. The intrusive bulk of the building will neither conserve nor enhance the setting of the Listed Buildings and will materially alter the setting. Your Petitioner points out that the name "Mornington Street" is misleading, because the building will be on Park Village East and accessed from Park Village East, across from Grade II Listed Buildings. There will be no access from Mornington Street. Another Ventilation Shaft is proposed a hundred metres or so, away, in nearby Granby Terrace.
13. The reason for these new, massive, buildings is to provide ventilation for the proposed roofing over of the railway line to permit over-site development (OSD) at some undetermined time in the future by a private developer. Thus the taxpayer is, currently, funding a ventilation building for, as yet, hypothetical OSD which will only benefit a private developer.

14. The ventilation shaft is incorrectly described, in Promoter’s documents as “ancillary” to OSD, but that is a nonsense in planning terms. It is impossible to have an “ancillary” or supportive development when there is no primary development in existence to which it can be ancillary. It is a nonsense to have an ancillary building that is ancillary to nothing.

15. OSD in the Eas ton throat was refused in 1991 when a planning application by INMARSAT [Camden ref: IRT/0151/1 and Department of the Environment, ref: LRP/219/x521/09] for a large headquarters building on the site was called in for determination by the then Secretary of State for the Environment and the Secretary of State for Transport, because the issue of keeping INMARSAT in the UK was deemed to be a matter of national importance. Despite the reason for calling-in the application, permission was refused on the grounds:

“...the proposed building would radically alter and dominate the local street scene and reduce the open easterly outlook, that it would not sit entirely comfortable [sic] with the nearby listed buildings, and that it would detrimentally affect the nearby conservation areas.”

16. In order to be economic, OSD, today, would have to be much larger, taller, and denser than the one 42,150 sq m building for which planning permission has already been refused by two Secretaries of State. In the intervening years nothing has changed with regard to the local street scheme, the open easterly outlook, the nearby Grade II* Listed Buildings, the Regent’s Park Conservation Area, nor the Camden Town Conservation Area, and in view of the precedent set by the 1991 decision it would be impossible to assume that a new application for large OSD would succeed.

17. The mass of the proposed “Mornington Street Intervention and Ventilation Shaft” is only hinted at in photomontage SI52 LV-01-267. This photomontage is, in itself, wrong, as it mistakenly shows the Mornington Street Bridge as it is today, rather than as it will be when completed. When this error was brought to Promoters’ attention, your Petitioner was told that there would be more Additional Provisions and that the error might then be corrected! The thought of more APIs is worrysome to this Petitioner. Promoters have form in misleading photomontages. A small footnote to the SI52 LV-01-003 photomontage of the proposed head house opposite numbers 6–10 Park Village East states:

“This photomontage illustrates a higher head house than shown in the main FS due to incorrect data...”

18. The Promoters confirm they do not propose to carry out OSD, and OSD is not included in the Bill. Promoters are not going to develop the OSD, themselves, nor are they even going to provide utility access to the proposed OSD site, notwithstanding the chaos they are proposing with re-provision of utilities to, and around, their scheme during construction.
19. The severe and adverse impacts arising from the lack of access, noise, airborne pollutants, loss of amenity, construction traffic & road congestion, vibration, and works executed at anti-social hours, as detailed in the Promoter's documents, are unmitigatable and will render the Petitioner’s home uninhabitable. The Promoters speak of "temporary" effects but "temporary," in this case, is for 11 years, or more, which, to a 72 year-old man may, literally, be a lifetime.

20. The human cost of the construction has not been considered by the Promoters, who have pushed off the financial cost onto the Public. Your Petitioner is being asked to pay for the construction of HS2 three times over: a) through his taxes to central Government; b) through his rates to Camden to fight HS2’s damage in Camden, monitor Promoters, incur additional highway-related costs, etc.; and c) through the personal effects of blight upon him and his home.

21. This is not even to mention the indirect economic cost to your Petitioner, and all others who will be affected by traffic chaos, for 16 years. These costs and resultant loss of quiet enjoyment are contrary to basic justice and your Petitioner’s human rights.

22. The blight to be caused by promoters on PVE is worse than at any location in the entire length of the proposed scheme, excepting those unfortunate people whose homes will be destroyed. Despite being metres away from a vast construction site, your Petitioner has no access to compensation schemes available to residents north of the M25 living more than 100 metres from construction and who would be less affected than your Petitioner.

23. Promoters recognise the adverse effects on residents of Park Village and have offered to rehouse the residents of Nos 6-24 PVE. Such rehousing, however, is subjective on the part of the Promoters and is for a relatively short time, considering the length of the works. All residents of Park Village East should be eligible for rehousing, together with all their goods and chattels, in comparable properties in the area of the residents’ choosing, at a rent equivalent to what their own properties would rent for in an unblighted condition, with all reasonable moving and ancillary expenses to be paid by the Promoter.

24. It is a legal concept that judge and jury be separated, in order to grant justice. In this case, Promoters are not only judge and jury but are the accused, as well. Therefore your Petitioner requests that an independent body be tasked with requests for rehousing.

25. Further, you Petitioner notes that the maximum noise levels prescribed by Promoters is for temporary construction works. Given the duration of proposed works, your Petitioner requests that maximum noise levels be set at standards appropriate to permanent, not temporary, conditions.

26. Your Petitioner requests that, therefore, special consideration be given to residents of PVE, specifically, that they be included in the Express Purchase Scheme (or one with the same terms, aimed at the special case of the Camden Cutting) and that they be eligible for rehousing. Such rehousing to be administered by an independent body.

27. Your Petitioner is subject to asymmetric economics by the Promoter and his nominated contractors.
If there are delays in construction which cause Train Operating Companies to be denied access to their tracks they are compensated. However, if there is construction blight (or extension of construction blight) your Petitioner does not receive reasonable compensation.

The Code of Construction Practice, in theory, ties contractors to certain maximum interruption of your Petitioner’s life. However, the exceptions to the CoCP, in front of your Petitioner’s home are legion. See, for example ES Vol 5 Draft Code of Construction Practice CT-003-000 5.2.6 to 5.2.11. The Promoters and contractors have every incentive to favour their own economic interests over those individuals affected by those decisions.

In order to overcome that asymmetry, your Petitioner requests that an independent body should make decisions on works outside of core hours. The easiest approach would be to have the Local Authority maintain its Section 61 procedures and all other powers it normally has under the Town and Country Planning Act for works in Camden.

28. Your Lordships will be aware that the budget for HS2 has swelled from £42bil to £57bil, whilst at the same time cutting back on the promised benefits, such as direct access to the Continent. Yet the budget has not been reduced for removal of benefits—a clandestine admission that HS2 is, already, over budget. Whilst one can only speculate by how much of taxpayer funds HS2 will eventually exceed budget, one can know two things: a) Taxpayer subsidy of the OPERATION of HS2 will be in perpetuity and b) Although nary a shovel has touched earth in the construction of HS2, the expenditure for professional services contracts on Phase I, up to February 2014 was £188mil, exceeding the budget of £101mil by 86%. To date, HS2 has spent approximately £1bil of taxpayer funds. Yet the Economic Affairs Committee of your Honourable House has stated, “The cost-benefit analysis for HS2 relies on evidence that is out-of-date and unconvincing.” Were your Honourable House to pass the Bill, as currently drafted, your Honourable House would be writing an open cheque on taxpayer funds to the Promoters who, in any case, are passing on innumerable costs to the innocent public by avoiding mitigation and compensation measures.

29. Your Petitioner is a healthy and active septuagenarian and hopes to be healthy and active at the end of construction works. However, there can be no assurance that that will be the case. In any event, barring vehicular access to his house for a period of years will cause undue hardship. Previously there was to be no access for 1 year and limited access for 4 years. Now the plan is for access to his house to be restored in 2026 (assuming works were completed as forecast by the Promoters). At that point, your Petitioner would be 82 years old. For example, how is he to carry grandchildren, groceries, etc., concurrently, to his home without vehicular access? One of the reasons your Petitioner purchased the Crown lease on his residence (and he trusts it is the same for his neighbours) is that each house on PVE has off street parking. If, as Promoters assure us, there will be access, at all times, for emergency vehicles, then it must be possible to ensure access by your Petitioner to his driveway, where he can park, off street, on his own property, and not have to carry children and objects from an unspecified distance away, even if the road is not open to through traffic.

30. Promoters, originally, stipulated that works on PVE were to be done from track level—spoil being removed by rail, cement being pumped up to street level—etc. The
current plan, not only proposes works to be carried out at street level but it adds an entire works compound on PVE to carry out those street level works. Promoters should be required to do all works from track level, remove all spoil and make all deliveries by rail, thus obviating the need for a construction compound on PVE.

31. The then-Secretary of State for Transport made a commitment in Dec 2010 that

"Where a project that is in the national interest imposes significant financial loss on individuals, it is right and proper that they should be compensated fairly for that loss, so I have asked my officials to prepare a range of options for a scheme to assist those whose properties will not be required for the construction of the railway, but who will none the less see a significant diminution of value as a result of the construction of the line."

(Hansard 20 Dec 2010, column 1203)

Your Petitioner respectfully requests your honourable House to ensure that that commitment is honoured.

32. Your Petitioner avers that the intensity, duration, and cumulative effects of construction on his property and his road are not equalled on any other road, bar those properties which will, unfortunately, be demolished, throughout the entire length of Phase I. The Environmental Statements refer, at numerous points, to the "major adverse effects" which construction of HS2 will have upon your Petitioner and his property. However, at no point does the ES nor the Promoters take a holistic view and link together the impact of those major adverse effects, their proposed duration of 10 years, and the cumulative effects upon your Petitioner and his property. Thus, your Petitioner humbly requests that your honourable House impose special provisions upon Promoters for your Petitioner, and others in his situation, due to the intensity, duration, and cumulative effects—these provisions to include, inter alia, inclusion in compensation schemes available in rural areas, rehousing, if necessary, and other specific undertakings proposed.

Requested remedies

33. In response to Petitioner’s Petitions in the other House, Promoters provided your Petitioner with a Promoters Response Document “PRD.” The PRD was filled with pabulum, generalities, and verbiage cut and pasted from other documents. It provided no specific assurances or indemnities to any of your Petitioner’s reasoned and reasonable requests for reliefs.

34. It is unlikely that your Petitioners will be able to obtain buildings insurance on a reasonable basis, if at all, during construction. Promoters must provide insurance acceptable to The Crown Estate, freeholders of the Petitioner’s property. Such insurance to compensate for repairs, if necessary, to a standard approved by The Crown Estate without putting Petitioner out of pocket.

35. The tracks from Mornington Street Bridge to Granby Terrace must not be covered at taxpayer expense. In which case, there will be no need for “Intervention and Ventilation Shafts.” In combination, deleting these measures will markedly reduce the cost of the construction of HS2. Should there, eventually, be a private developer willing to make the investment, it would be for him/her to seek approvals and make required
expenditures, not out of the public purse.

36. Park Village East, being a special case of intensive and intrusive construction, residents must be included in the Express Purchase Scheme, or one with the same terms.

37. Park Village East, being a special case of intensive and intrusive construction, residents must be rehoused if the works are judged to render their residences uninhabitable by an independent body of experts. Such rehousing to be provided on a like-for-like basis and to include, *inter alia*, moving expenses, insurance, storage, etc. as would be provided by a reputable insurance company in similar circumstances.

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

The prayer

40. 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.

Roger L. Low

17 April 2016

Date
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Sulgrave Parish Council

Declares that:

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

2. Your petitioner

The petitioner is Sulgrave Parish Council who represent the residents of Sulgrave Village. Sulgrave is located approximately one mile from the line of route. Residents of Sulgrave will experience high levels of traffic and disruption to key access roads to the village during the construction of HS2 as a result of predicted levels of HGV construction traffic.

3. Your petitioner’s concerns

Sulgrave Parish Council has serious safety concerns relating to the impact of construction traffic on the Residents of the Parish as a consequence of the construction of HS2. We have recently received a copy of drawing C222-ATK-CL-DPL-020-300517-PET000000 Revision P00.1 which has alerted the Parish Council to the predicted volume of construction related traffic in the Sulgrave area and in particular HGV traffic on the main access routes to the village. These routes consist of country roads of varying width and quality on which traffic is generally light and consists of small vehicles.

These traffic volumes will cause a significant and detrimental impact on the residents of Sulgrave for whom the routes affected are the prime access to the village.

The specific areas of concerns are:

Issues Relating to The B4525 Welsh Road and Banbury Road Junction

C222-ATK-CL-DPL-020-300517-PET000000 Revision P00.1 shows it is predicted that up to 521 HGV lorries per day will pass in each direction along Banbury Road (locations G and H on that drawing). These vehicles will require to navigate the junction with the B4525 Welsh Road.

At this location there is a tight blind bend on Banbury Road immediately in advance of the junction that we believe to be inadequate for the safe passage of this volume of traffic. When HGV lorries occasionally use this route currently they are forced into the centre of the road to negotiate the bend. With the volume of traffic predicted we believe there will be a significant safety risk resulting from this occurrence.

In addition, as a result of being required to cross the centre line of the road we do not believe that HGV vehicles will be able to pass in opposite directions at this location resulting in severe congestion whilst vehicles wait for access. The volumes of traffic mean that this will be in almost constant issue.

A second concern resulting from vehicles not been able to immediately negotiate this bend is that vehicles turning from B4525 Welsh Road onto Banbury Road will end up
stopping just off B4525 Welsh Road. The visibility at this junction is poor and there is a high likelihood that subsequent vehicles turning onto Banbury Road will collide with the back of stationary traffic or back up onto the B4525 Welsh Road.

An additional risk is that on the B4525 Welsh Road there is a blind crest immediately east of the junction. It is our opinion that this crest results in an unsafe situation for slow vehicles exiting Banbury Road onto B4525 Welsh Road leading to a high likelihood of collision. It should be noted that a speed camera is currently located on the B4525 Welsh Road near this junction indicating that there is a recognised safety issue at this location.

We request that HS2 undertake a thorough assessment of the risks at this junction and implement appropriate junction upgrades at this location to mitigate the risks highlighted above. We do not believe that the installation of traffic lights would be an appropriate solution as with the volumes of traffic anticipated these would cause a significant increase in journey times for residents on the main access route from the village to Banbury / M40 motorway. Both frequent destinations for commuting residents.

Issues Relating to Banbury Road East of Thorpe Mandeville

We also wish to highlight that the existing Banbury Road in the vicinity of letters E and F on the above drawing is of poor horizontal and vertical geometry and whilst two HGVs may just be able to pass each other in opposite directions that enhancement of the road locally is required to ensure safety given the volumes of traffic predicted. Again, any delay to passage of the freight traffic due to difficulties negotiating the junction will cause significant disruption to Sulgrave residents travelling to or from the village.

Potential Alternative Freight Routes

In order to try and reduce traffic movements on Banbury Road We request that HS2 investigate the use of the shorter route from Sulgrave Road to the B4525 Welsh Road (points C and D on drawing C222-ATK-CL-DPL-020-300517-PETO000000 Revision P00.1) as an alternative routing for some or all HGV vehicles currently planned to use Banbury Road. We anticipate this would require using the haul road indicated between Banbury Road and Sulgrave Road to cross from Banbury Road to Sulgrave Road. This route avoids the issues present on the Banbury Road and also residential properties on this route.

We believe that enhancements would be needed to the Sulgrave Road / B4525 Welsh Road Junction to facilitate safe operation of the volumes of traffic predicted due to poor visibility but feel that this is a better traffic solution than the proposed use of Banbury Road. Should this alternative proposal be adopted we again do not feel that traffic lights would be an appropriate mitigation at this location.

Potential Closure of Sulgrave Road During Construction

Sulgrave Road is a primary access route to and from Sulgrave for residents heading east from the Village towards the A43 road.

The notes on drawing C222-ATK-CL-DPL-020-300517-PETO000000 Revision P00.1 indicate that a closure of Sulgrave Road is planned during construction. This differs from previous information that we received stating that this road would remain open, via a localised diversion, throughout construction. We seek the assurance of HS2 that Sulgrave Road will remain passible to traffic throughout the construction 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.

Graham Roberts
Roll B Agent
Sulgrave Parish Council
15th April 2016
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Derek Victor Jones and Emma Louise Jones

Declares that:

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

2. Your petitioners

   The petitioners are the owners of a freehold property at 37 Lappetts Lane, South Heath, Great Missenden, Bucks. HP16 0RA. This property is specially and directly affected.

   This property currently enjoys a tranquil and safe location and is located 484m from the tunnel exit cutting and 607m from the train exit/entrance at the portal as outlined under deposited plans Vol 2.1 Replacement sheet 2.25.

   Your petitioners live in part of the Chilterns Area of Outstanding Beauty (AONB) which the Bill, as it stands, specially and directly affect.

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

3. Your petitioners’ concerns

   1. 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 presently proposed fully bored Chiltern Tunnel is extended throughout the entirety of the Chilterns AONB, by requiring the construction of an extended tunnel, based on the T3i proposals, as developed by HS2 Limited. 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 is supported by them. The adoption of this proposal, which is jointly submitted and will be presented with others, will address most, if not all, of these adverse effects, the concerns of your Petitioner and will reduce the impact on the AONB.

   2. Your Petitioner further requests that in assessing the alternatives of adopting the full tunnel proposals instead of the Promoter’s current proposals for the AONB section of the line, the Promoter is instructed to commission and publish a fully independent cost analysis of such alternatives and to undertake and publish a full cost benefit analysis of the environmental impacts for such AONB section.

   3. The adverse effects of the Bill with which your Petitioner is concerned and to which it objects are primarily caused by and associated with the works proposed from the
South Heath portal, empowered by Clauses 1 and 2 and Schedules 1 and 2 of the Bill and associated powers in the Bill (including the power of compulsory purchase). These include works 2/14 to 2/20 in Schedule 1 and are detailed primarily on Deposited Plans, Vol.2, Plan Replacement Sheets 2-24 to 2-28.

4. 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 Petitioner requests that the fully bored Chiltern Tunnel is extended to Leather Lane, as it will address, most but not all, of your Petitioner's concerns.

5. The fall back alternative to these solutions is numerous individual mitigations of the adverse impacts, all of which will cost time and money (over and above the mitigation presently proposed by the Promoter). Your Petitioner expands on the individual adverse impacts that concern it and to which it objects, and the (additional) mitigation that would be required for each, if its fully bored tunnel proposals are rejected, below.

- Your petitioner has been seriously affected by property blight. It has been shown that property values in the local area are between 13 and 22 percent lower than the ‘un-blighted’ value. Your petitioner owns and runs a small business and does not have much in the way of pension provision. Your petitioner was planning to use the proceeds of the sale of his house in order to fund his/her retirement.
  - Remedies:
    Your petitioner requests that a fully bored Chiltern Tunnel throughout the AONB be implemented

- Your petitioner purchased property in a designated Area of Outstanding Natural Beauty in order to fully fill his/her desire to live in a peaceful and tranquil environment. Your petitioner feels strongly that the government has not upheld its obligation to the Chiltern AONB and feels that the government should act in accordance with the primary purpose of the AONB designation which is to conserve and enhance the natural beauty of the landscape.
  - Remedies:
    Your petitioner feels let down in this respect and requests that a fully bored Chiltern Tunnel throughout the AONB be implemented

- Your petitioner believes that the acoustic character of the Chilterns AONB will be changed forever. As such your petitioner’s quality of life will be diminished and in order to avoid the noise from both construction and train operation a material change in behaviour will be required. As such, and in accordance with the government’s Planning Practice Guidance for noise, your petitioner will be continually subjected to a Significant Observed Adverse Effect.
  - Remedies:
    Your petitioner feels let down in this respect and requests that a fully bored Chiltern Tunnel throughout the AONB be implemented

- Your petitioner feels that averaging noise levels is not appropriate in such a quiet and peaceful area. A loud noise following by a period of quiet which is repeated every 100 seconds miss represents the impact and unfairly discriminates against residents in such quiet areas, with low background noise levels, over those within more urban settings where the background
noise levels are much higher. Your petitioner feels that HS2 Ltd’s noise impact studies are valid for urban settings but miss leading and unrepresentative for the Chilterns AONB

- Remedies:
  - Your petitioner requests that dBAmax be used as a more representative indication of disruption and affect on quality of life in the Chilterns AONB and rural locations.

6. **Traffic Congestion:** The disruption over eight years of access to and from Great Missenden for your petitioner travelling to the shops, medical appointments and to the station arising from the major adverse effect that will occur with the large amount of construction traffic at the Link Road (A4128) and Frith Hill roundabouts. This major adverse effect will continue for your petitioner who needs to travel along the A413 to and from Wendover and Stoke Mandeville Hospital and Aylesbury. Your Petitioner is also concerned that avoidance of the congestion at the Link Road Roundabout will lead to rat-runs through Great Missenden and the hilltop villages especially along Kings Lane with its associated safety hazard.

Your petitioner has four children all of which are in full time education and all of which access their school/college using the A413 at the Link Road roundabout. This requires your petitioner to make many trips per day down Frith Hill and onto the A413. Your petitioner is therefore concerned that his/her children will be left stranded due to traffic congestion and there will be a substantial increase in journey time which impact of life in general.

**Remedies:**
- An effective Traffic Management Plan to be approved by Bucks County Council with all costs of monitoring and enforcement to be borne by HS2 Ltd.
- Reduce the amount of spoil that requires to be transported through the use of retained cuttings or a bored tunnel extension or reduce the road transportation of spoil by taking it all along the trace.
- HS2 to work with Bucks County Council to facilitate traffic flow at the congestion points and consider slip roads, road widening etc.

7. **Construction Haul Road:** Your Petitioner is particularly concerned about the impact of construction traffic using the haul road from the South Heath portal onto the A413 at the Link Road roundabout, such as damage from HGVs (270 HGVs a day at the peak), noise and dust from vehicle cleaning operations and the high risk to users of the Skate Park, Tennis Courts and children’s play area adjacent to the roundabout and children going to the Great Missenden Combined Church of England school nearby.

**Remedies:**
- The construction haul road should be relocated further north beyond the Mobwell junction hence reducing traffic congestion at the Link Road (A4128) and the B485 roundabouts and lessening the impact and visual blight of the haul road on residents and businesses in Great Missenden. Traffic signals can be implemented on the junction with the A413 to control the flow of construction traffic.
- The amount of spoil requiring transport by road can be reduced by moving more spoil down the trace.

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1. HS2 Ltd had given Bucks CC in January 2016 an assurance that it would relocate this haul road but the conditions placed upon the County Council to achieve this were unrealistic.
8. **Maintenance Access Road:** The permanent maintenance and access road - Work No 2/18C from the South Heath portal joins Frith Hill (SHL) at a bend on a narrow part of the road. This leads to your petitioner having concerns about road safety especially as the footway and road is used for walking and cycling to Great Missenden. Safety could be further exacerbated by temporary contractors using it to access the portal during construction. Furthermore there is concern for the safety of children at the Great Missenden Church of England Combined School using their Forest School Outdoor Learning Centre and their playing fields as they are adjacent to the Frith Hill roundabout.

Remedies:
1. Construction traffic should not use the maintenance access road off Frith Hill during construction.
2. Any temporary construction contractors should not park their white vans at the South Heath portal but at the main construction compound at Wendover and be bussed onto the site.
3. If the construction haul road is relocated as mentioned above, it could be retained so that access to Frith Hill (SHL) will no longer be required

9. **Noise and Dust:** Your petitioner is concerned that there will be construction noise and dust (and operational noise) as a result of the deep, wide cuttings at the South Heath portal and the cuttings beyond towards Wendover. The dust and noise will be at its worst during the eight year construction period but thereafter some mitigation of the dust will be provided when plantings have matured but not the noise.

Remedies:
1. Local Environmental Management Plans (LEMIP) to be monitored and enforced by Bucks County Council with all costs to be borne by HS2 Ltd
2. A tunnel extension throughout the Chilterns AONB, or at minimum to Leather Lane will obviate the need for deep, wide cuttings in the South Heath and Petter Row area.
3. Other remedies would be retained sides for the cutting and higher trackside noise barriers with barriers on the east side (as well as west) of the line towards Leather Lane.

10. **Dysfunctional Housing market:** Your Petitioner is 607 meters from the trains exit/entrance at the South Heath portal of the Chiltern Tunnel and are the finding their house prices blighted. They are concerned that they are unable to sell in what has become a dysfunctional housing market. They feel that they are trapped for 10 or more years and find the ‘Need to Sell scheme’ (NTS) complex, slow and does not ensure unblighted house prices.

Remedies:
1. A further Chiltern tunnel extension throughout the Chilterns to the edge of the AONB or at least as far as Leather Lane would largely stabilize the dysfunctional market.
2. A compensation scheme that provides full current un-blighted house value to all residents when they wish to sell.... A Right to Sell Scheme. The scheme is to be administered by a body independent of HS2 Ltd, with a right to appeal. The NTS
The scheme needs to be made less complex, faster, more accessible, less onerous to prove qualification, friendly to the elderly and with more stringent rules to ensure reasonable un-blighted valuations.

11. **Operational Noise**: Your petitioners are close enough to the surface line to suffer operational noise at night close to the peak WHO target LOAEL of 60dBmax (23.00 - 24.00 and 06.30 to 07.30)

Remedies:
1. Your petitioner feels that not exceeding the peak LOAEL level of 60dBmax should be a mandatory requirement and not just an aim as outlined in Information Paper E20. Anticipated noise levels should be independently verified and based on evidence of the efficacy of alternative noise reduction methods.
2. Reasonably practicable measures to dissipate the noise should include having retained sides, or steeper slopes to the portal cutting and beyond; deeper cuttings; reducing the train speed; lengthening the porous portal; higher more absorbent noise barriers adjacent to the line to protect Potter Row; noise barriers both sides of the line and to the south of the portal to protect South Heath and Frith Hill properties and those using footpaths GAM/12 & 13.

12. **Health and Wellbeing**: Your Petitioner is concerned that their Health & Wellbeing has been adversely affected, and continue to be, since the announcement of HS2 in 2010. The undeniable result of HS2 is worry, anxiety and stress and, in some cases, clinical depression requiring medical treatment. A further worry is that emergency response times will deteriorate further during construction when ailments such as respiratory disorders will be at their maximum.

Remedies:
1. During the construction phase a hotline should be established for residents to raise any issues of concern over high levels of dust and pollution, with independent monitoring and powers to halt construction until preventative measures are implemented and verified.
2. The provision of an air ambulance service is requested to complement emergency medical services which are already struggling.

13. **Chilterns AONB**: The proposed line is above ground from the South Heath portal of the Chiltern tunnel for 9 kms to the edge of the Chilterns AONB just north of Wendover. It is in a cutting for approximately 3 kms and will be visible at the highest point of the line in the vicinity of Liberty Lane, notwithstanding the sight of the security fences and catenary masts above the cuttings which will be a major permanent eyesore along the length of Potter Row.

The proposed line from Liberty Lane descends to Wendover and crosses two large unsightly viaducts at Wendover Dean and Small Dean in the Chilterns AONB before reaching a green tunnel running alongside Wendover.

Construction will last up to 8 years with a peak period of more than 3.5 years. HGV traffic, noise and dust will render the rural lanes and footpaths less attractive to all visitors to this area of the AONB whether they are ardent walkers/hikers, currently popular with those groups taking the Duke of Edinburgh Award, or cyclists as it is Route 57 on the National Cycle Network or just families coming for a day-out from London to enjoy the countryside.

Remedies (apart from a fully bored tunnel throughout the AONB):
1. The AONB review body must ensure that the viaducts and embankments with enclosures to reduced noise are made as visually pleasing as possible. The design of the new permanent buildings erected by HS2 Ltd to be in-keeping with the surrounding area.

2. The vertical alignment of the track between the South Heath portal and Wendover should be lowered further, if it is not to be placed in a tunnel, to reduce the intrusion of the viaducts; to conceal catenary masts and gantries and reduce the height above the general ground surface of accommodation footbridges. The contractor should not be empowered to raise the line at all on the AONB section.

3. The need for spoil dumps should be minimised either by tunnelling or moving the spoil down the trace or by rail. This particularly applies to the spoil dump planned for Hunts Green farm and those by the construction compounds.

4. The Rights of Way are not to be closed for any length of time and any diversion not to be parallel to the track; furthermore diversions should be over green bridges and not accommodation bridges.

5. All overhead power lines adjacent to the route be buried.

6. Alternatives to Balancing Ponds be considered, and they should be made ecologically and visually attractive, in-keeping with AONB.

14. **Code of Construction Practice:** The Code is a draft; it is not specific about timing of works, or monitoring by the Local Authority and is subject to a sub contract with the nominated undertaker.

**Remedies:**

1. Daily movements of HGVs to be restricted between 06.30 and 15.30 hrs and prohibited from using rural lanes.

2. Construction activities should be subject to strict noise limits and light emission limits from night security lighting (there is no street lighting near the construction compounds) and activities restricted to times that are unlikely to affect the sleep patterns of children and the elderly. Furthermore, the Local Authority should be funded to enforce monitoring and policing of the noise and light emission limits and activities, and work should stop if the limits are exceeded.

3. During the construction phase a hotline should be established for residents to raise any issues of concern and for road users to report damage, also for an independent HS2 adjudicator to review issues, monitor progress with enforcement orders and facilitate claims.

16. **Primary Mitigation**

Accordingly, your Petitioner objects to the associated works and the clauses in the Bill that empower the works involved, and humbly requests your honourable House to modify the Bill, and/or require undertakings of the Promoter, to remove these adverse effects, primarily through a fully bored tunnel throughout the Chilterns AONB or at least to Leather Lane.

17. **Secondary Mitigation**

In the alternative to the extension of the fully bored Chiltern Tunnel that your Petitioner seeks, your Petitioner requests that the haul road from the South Heath portal to the Link Road roundabout be moved along the A413 beyond the Mobwell...
junction, as it will help to lessen the impact of the construction traffic on the Great Missenden Area.

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

Conclusion
19 Your Petitioner supports the petitions for a longer fully bored Chiltern Tunnel that extends throughout the Chilterns AONB. Such tunnel extension is being petitioned by the local County, District and Parish Councils and the Chiltern Conservation Board and in the alternative a shorter extension to Leather Lane. If your honourable House alters the Bill to provide for such an extended tunnel most of your Petitioner’s objections would be removed (your Petitioner’s objection to unsuitable ancillary structures and to the present proposals for compensation would remain - albeit far fewer residents would be affected).

20 In the alternative to extending the fully bored Chiltern tunnel, your Petitioner seeks a significant secondary mitigation by relocating the haul road at the South Heath portal.

21 For the foregoing and connected reasons your Petitioner 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 and your Petitioner’s area, along with the wider AONB, be not allowed to pass into law.

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

4. The prayer
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.

Derek Victor Jones

Emma Louise Jones
17th April 2016
PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF DLPPurcell and Mrs PRPurcell

 Declares that:

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

2. The petitioners are resident at Hale Farm Cottage, Hale Lane, Wendover, in the Chiltern Area of Outstanding Natural Beauty, where they have lived for over 33 years. They will be specially and directly affected by the whole Bill, both during construction and after completion of the project as proposed.

3. The numerous problems arising from the project as proposed have been detailed in all the previous submissions by the local petitioners to the House of Commons and no doubt again by current petitioners to the House of Lords.

The present proposal if allowed to stand leaves a permanent legacy of an ugly construction dominating an area of outstanding beauty together with a potential constant noise problem for Wendover.

The obvious alternative is a fully-bored tunnel right through the Chiltern AONB to the north of Wendover. The total cost of HS2 is enormous and therefore it must be judged that the useful lifespan of the project justifies that cost. It is not certain that there is an additional cost to this amendment of a fully bored tunnel and even if there is taken over the potential life of the railway the annual amount will be insignificant. The main original rail routes have been in existence for 150 years and were carefully planned to avoid the kind of blemish proposed for Wendover.

4. 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,

DLPPurcell  Mrs PRPurcell
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Alice Gray

Declares that:

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

2. Your petitioner

The petitioner Alice Gray of 12 Princess Road, London NW1 8JJ

3. Your petitioner’s concerns

1. A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your 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 Old Oak Common in the London Borough of Hammersmith and Fulham to a junction with the Channel Tunnel Rail Link at York Way in the London Borough of Islington and a spur from Water Orton in Warwickshire to Curzon Street in Birmingham: and for connected purposes”.

2. The Bill is presented by Mr Secretary McLoughlin, supported by the Prime Minister, the Deputy Prime Minister, Mr Chancellor of the Exchequer, Secretary Theresa May, Secretary Vince Cable, Secretary Iain Duncan Smith, Secretary Eric Pickles, Secretary Owen Paterson, Secretary Edward Davey, and Mr Robert Goodwill.

3. Clauses 1 to 36 set out the Bill’s objectives in relation to the construction and operation of the railway mentioned in paragraph 1 above. They include provision for the construction of works, highways and road traffic matters, the compulsory acquisition of land and other provisions relating to the use of land, planning permission, heritage issues, trees and noise. They include clauses which would disapply and modify various enactments relating to special categories of land including burial grounds, consecrated land, commons and open spaces, and other matters, including overhead lines, water, building regulations and party walls, street works and the use of lorries.
4. Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.

5. Clauses 43 to 65 of the Bill set out a number of miscellaneous and general provisions, including provision for the appointment of a nominated undertaker ("the Nominated Undertaker") to exercise the powers under the Bill, transfer schemes, provisions relating to statutory undertakers and the Crown, provision about the compulsory acquisition of land for regeneration, reinstatement works and provision about further high speed railway works. Provision is also made about the application of Environmental Impact Assessment Regulations.

6. The works proposed to be authorised by the Bill are specified in clauses 1 and 2 of and Schedules 1 and 2 to the Bill. They consist of scheduled works, which are described in Schedule 1 to the Bill and other works, which are described in clause 2 of and Schedules 2 and 3 to the Bill.

7. Your Petitioner is a householder living at 12 Princess Road, London, NW1 8JJ, with her mother, Ilse Gray, also a householder, and a child, aged 12 yrs, who attends Haverstock Secondary School situated on Haverstock Hill. Alice is a governor at Primrose Hill Primary School in Princess Road, which will be affected by the proposed underground construction works in Princess Road. The child walks to school along or very near to roads which will be used by lorry traffic during the construction of the Scheme and roads which will be affected by increased traffic as a result of enforced or voluntary traffic diversion from areas where HS2 works are being carried out. Your Petitioner cycles to work around Camden and Islington, and would be affected by air pollution from increased construction traffic and general traffic gridlock resulting from the effects of HS2 construction. Ilse Gray, a pensioner, mostly travels on public transport, especially buses, the routes and frequency of which would be severely affected by construction works and related traffic. The house contains a basement, which used to be subject to regular severe flooding before the construction of a Hydrobrake relief system at the junction with Gloucester Avenue and an associated 3m diameter storm sewer along the length of Princess Road in 1993-4.

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

9. Your Petitioner's property will not be demolished as a result of the Bill, and your Petitioner has received notice that if the Bill passes into law it will not confer any rights of compulsory acquisition or use over that property. However, HS2 Ltd has informed another resident in Princess Road, Laura Rivkin, that, "The utility works that are proposed on Princess Road are to a cast iron sewer which currently runs under the canal and Princess Road. We currently expect we are likely to need to carry out protection works to the section of sewer within some or all of Princess Road, to
prevent any damage to it as a result of HS2’s tunnelling under Gloucester Avenue. The detailed design for these utility works is still to be done. However, we anticipate that these works would most likely be done in a rolling programme whereby a lane of the road would be closed to traffic for perhaps a 50m stretch while the necessary works were carried out, after which the road would be reinstated and work carried out further down the road. If they prove necessary, we estimate that the total duration of the works on Princess Road could be up to approximately 12 months.” HS2 Ltd does not indicate whether this sewer is for storm water or sewerage, nor what arrangements will be made to protect Princess Road residents, businesses and the school (currently approximately 475 children plus 73 teaching and support staff) if this sewer does not effectively perform its due function during any or all of the period of the works or afterwards (e.g. leaving them without use of toilets or waste water facilities).

10. HS2 Ltd has provided no mention of, nor assurances about, the possible effect of these works on the future functioning of the Hydrobrake system located at the junction of Princess Road and Gloucester Avenue, which is located directly above the proposed HS2 tunnelling and which provides protection from the endemic flooding suffered along Princess Road prior to its construction. This is a serious concern given the likelihood of higher insurance premiums for these properties in the event of regular future flooding as a result of any damage to this system by the proposed works. No potential repair budget has been set aside if this damage were to occur, nor has any compensation been guaranteed in the event of a return of regular flooding to this terraced house, any of its neighbours or to the school.

11. The Bill includes powers for the Secretary of State and the Nominated Undertaker to undertake works of construction which are now estimated to take 18-20 years to complete and will include heavy goods vehicle (HGV) and lorry movements, and subsequent creation of dust and noise, and poor air quality. All the children walking or cycling to schools in the borough, including Primrose Hill Primary and Haverstock Secondary School, will be adversely affected by worse air pollution and poor air quality caused by increased dust in the air and increased diesel vehicle emissions from HGVs and construction lorries filled with spoil using the proposed routes from Euston to carry this to disposal sites. Even if these lorries do not pass directly in front of Haverstock School they will still use roads in the surrounding area in their thousands every week. In early April 2014, there were reports of an increase in admissions to local London and national Accident & Emergency departments of children and adults in respiratory distress due to an unusual combination of vehicle emissions and ‘Sahara Dust’. In relation to this, comments that were made in the press by eminent medical researchers such as Jonathan Grigg - professor of paediatric respiratory and environmental medicine at Queen Mary University of London - about the strong evidence for diesel pollutants having an effect on cognitive function in children, and long-term exposure to air pollution suppressing lung function and leading to vulnerability through life, and also from Frank Kelly - professor of environmental health at King’s College, London - that the air people breathe has an impact on life expectancy (The Guardian, 29.04.2014), indicate serious threats to these children’s health from the combination of increased emissions and dust from these vehicles. Gridlock caused by this increased traffic would exacerbate already high levels of
harmful vehicle emissions and there would be a severely negative impact on the health of children attending schools situated close to these routes, and on that of any adults teaching them or accompanying them to school, especially those who already have heart or respiratory conditions. The effects would be particularly devastating on elderly residents, such as my mother, Ilse Gray. Your Petitioner humbly suggests that the increased burden on NHS services and the short-term and long-term costs of treating respiratory and other conditions arising from - or exacerbated by - this construction work in Camden should also be taken into account in calculating the costs of constructing the HS2 terminus at Euston, rather than at Old Oak Common.

12. Given its location on a major road, and accepting the recent estimate of approximately 18-20 years for construction, fully 3-4 generations of children commencing in Year 7 at Haverstock School would be exposed to increased traffic noise and pollution from HS2-related HGV and lorry traffic, diverted general traffic and related gridlock for their entire school careers up to GCSE level (or equivalent) and many would further experience this throughout their 6th Form studies. This would particularly affect concentration in teaching areas with outside windows, and affect sports, play activities and teaching in outside playground areas, and thus negatively impact on potential academic achievement for large numbers of children.

13. The Environmental Statement (ES) produced by HS2 Ltd appears to grossly underestimate existing peak time and off-peak traffic and the effect of the HS2 construction works at Euston and elsewhere on traffic congestion in Camden. Your Petitioner would direct the attention of the Honourable House to another petitioner, Camden Council, which has produced its own statistics indicating a much heavier existing traffic flow and pedestrian footfall, and thus a much worse impact of proposed HS2 construction traffic than that presented in the ES. This will make it very difficult for pensioners, such as Ilse Gray, and others with reduced mobility, who rely on either public or private transport, to get to shops, health or other services and businesses, and to travel around and across the Borough to visit friends and relatives.

14. The construction works will lead to significant increases in two of the most serious air pollutants, Nitrogen Dioxide (NO2) and Particulate Matter (PM10 and PM2.5) which will be compounded by the removal of over 200 trees from the borough. There are also likely to be increases in pollutants as a result of the operation of HS2. Air pollution in Camden is already high with resulting mounting health impacts, in particular links to heart disease, asthma and cancer. Alice Gray already has heart and respiratory problems and as a cyclist in the Borough would be more heavily exposed to the adverse effects of these increases. London is already failing binding EU legal limits for NO2, and facing an increasing likelihood of attracting fines for failing to meet these limits, which may be passed on to local authorities. As a ratepayer, your Petitioner would then also have to bear the financial cost of the construction and operation of HS2 further increasing these emissions.

15. Your Petitioner respectfully submits that powers proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker should be amended or
undertakings should be required to be given 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 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.

16. Your Petitioner further respectfully submits that Old Oak Common should become the terminus rather than Euston. This would avoid all the environmental, health and social damage that building and operating the line between Old Oak Common and Euston would do to this area. It would also save a huge amount of resource costs. The cost of building this section of HS2 runs into £billions (the anticipated amount should have been clarified by the time petitions are heard). In addition, there would be considerable savings in construction costs at Euston itself. Old Oak Common has better current and potential transport connections, particularly to the Crossrail works currently being completed across London, and to Heathrow. If nothing else, this could be considered as a temporary measure, while current poorly thought out plans for Euston station redevelopment are reconsidered.

17. In the light of the serious negative effects on education, health, and to quality of life and property rights anticipated as a result of situating the HS2 terminus at Euston, more time needs to be given to finding ways to mitigate these, and if Old Oak Common is not then accepted as the most suitable terminus then serious consideration needs to be given both to alternative plans for Euston, such as the Double Decked Down proposal - produced by local architects in response to HS2 Ltd's initial plans - and to other alternative terminus sites, as well as to compensation for financial or other loss suffered by householders and businesses directly affected by the proposed HS2-related construction works in Camden who are not currently being offered this. Evidence from various campaign groups, such as SOS Camden, The Camden Cutting Group, and bodies such as Camden Council should be given considerable weight in the light of inadequate surveys and research by HS2 Ltd on the high cost and negative impact of current plans for siting the HS2 terminus at Euston.

18. If the proposed terminus remains at Euston, then there should be a binding commitment by HS2 to meet or exceed the percentage of spoil removed by rail that was achieved by the Crossrail project. This would greatly reduce the negative impacts of removing all or most spoil using HGVs and lorries, as currently proposed.

19. Your Petitioner urges the Committee to say that HS2's London terminus should not be at Euston but at Old Oak Common. If problems of capacity were to arise, origin and destination surveys of HS2 passengers should be undertaken to give a much more reliable indication of what remedial action would be most effective - and whether its cost could be justified - than is possible now. All that has to be done at Old Oak Common, beyond providing the connection between HS2 and Crossrail, and possibly also a link to Heathrow, is to ensure that the station is laid out in a way that would facilitate, or at least not inhibit, the possible provision of connections to other lines later.
20. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, with the substitution of Old Oak Common for Euston as the London terminus for HS2, clauses in Schedule 1 so far affecting your Petitioner, should not be allowed to pass into law.

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

22. My concerns have not been addressed by either HS2 or the House of Commons.

23. I am subject to injustice. I have not been heard.

24. The House of Commons Select Committee’s overall solution for Camden, that I should rely on HS2’s assurances to Camden Council (as yet unknown), is a completely inadequate safeguard of my interests.

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.

ALICE GRAY

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

PETITION against the  

High Speed Rail (London – West Midlands) Bill

THE PETITION OF ANNE-LAURE DE ORLEANS-BORBON

Declares that:

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

2. Your petitioner

The petitioner* Anne-Laure de Orleans-Borbon, lives in this area of outstanding natural beauty of the Chiltern Hills and the plan of having HS2 run across this exceptionally beautiful part of Buckinghamshire is a travesty.

3.1 Your petitioner’s concerns

The historically important Ridgeway runs along Boswells Farm, where we live, and HS2, in its presently planned elevated position specifically and directly affects thousands of walkers and hikers in this beautiful part of the Chiltern Hills.

The petitioner’s main concern is to maintain and conserve this area of outstanding natural beauty for our future generations.

3.2 Your petitioner’s requested mediation

The petitioner unequivocally asks the House of Lords to request the government to implement a fully bored, extended tunnel through this area of outstanding natural beauty running from Amersham beyond Wendover in the Chiltern Hills.

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.

The petitioner remains most respectfully Anne-Laure de Orleans-Borbon  
17th April 2016
APPENDIX A: TEMPLATE FOR A PETITION AGAINST A HYBRID BILL

Please note that some parts of your petition must be worded exactly as in the sample petition on the next page. These parts are shown underlined and in blue and you should copy these words exactly as they are written. If you do not, your petition may not be accepted (for example, the petition must contain a prayer; those are the words in blue at the end of the template). You should not use the blue colour or the underlining in your petition, just the words themselves.

You may also alter the gender of the words asterisked (*) and/or make them plural as appropriate. You should not put the asterisks themselves in your finished petition.

If you wish, you may send a draft of your petition by fax, post or e-mail to the House of Lords Private Bill Office at least a week before the last day of petitioning, and we will check it to ensure that the form of your petition is correct. We cannot comment on your arguments though; those are entirely a matter for your own judgment.

House of Lords Private Bill Office:  
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

Please note that the spam filter which Parliament uses occasionally treats a genuine e-mail as spam. You should receive a reply within a day or two of e-mailing at the most except during recess periods when you should receive an out of office reply to the first e-mail you send. If you do not receive a reply you should telephone to check that your e-mail has indeed arrived. If you leave a message please make sure to leave your phone number or e-mail address so that we can contact you.

Note: The text in square brackets [] describes what you should put into the petition at that point. Delete the brackets once you have done so.

......continued
To the House of Lords
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF ANDRES DE ORLEANS-BORBON

Declares that:

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

2. Your petitioner

   The petitioner* Andres de Orleans-Borbon, lives in this area of outstanding natural beauty of the Chiltern Hills and the plan of having HS2 run across this exceptionally beautiful part of Buckinghamshire is a travesty.

3.1 Your petitioner’s concerns

   The historically important Ridgeway runs along Boswells Farm, where we live, and HS2, in its presently planned elevated position specifically and directly affects thousands of walkers and hikers in this beautiful part of the Chiltern Hills.

   The petitioner’s main concern is to maintain and conserve this area of outstanding natural beauty for our future generations.

3.2 Your petitioner’s requested mediation

   The petitioner unequivocally asks the House of Lords to request the government to implement a fully bored, extended tunnel through this area of outstanding natural beauty running from Amersham beyond Wendover in the Chiltern Hills.

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.

The petitioner remains most respectfully Andres de Orleans-Borbon
17th April 2016
APPENDIX A: TEMPLATE FOR A PETITION AGAINST A HYBRID BILL

Please note that some parts of your petition must be worded exactly as in the sample petition on the next page. These parts are shown underlined and in blue and you should copy these words exactly as they are written. If you do not, your petition may not be accepted (for example, the petition must contain a prayer; those are the words in blue at the end of the template). You should not use the blue colour or the underlining in your petition, just the words themselves.

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......continued.
To the House of Lords  
Session 2015–16

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF Sowdown Limited trading as Tobermory Consulting  

Declares that:  

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

2. Your petitioner  

   The petitioner works from his home at 37 Lappetts Lane, South Heath, Great Missenden, Bucks. HP16 0RA. This property is specially and directly affected.  

   This property currently enjoys a tranquil and safe location and is located 484m from the tunnel exit cutting and 607m from the train exit/entrance at the portal as outlined under deposited plans Vol 2.1 Replacement sheet 2.25.  

   Your petitioner live in part of the Chilterns Area of Outstanding Beauty (AONB) which the Bill, as it stands, 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  

   1. 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 presently proposed fully bored Chiltern Tunnel is extended throughout the entirety of the Chilterns AONB, by requiring the construction of an extended tunnel, based on the T3i proposals, as developed by HS2 Limited. 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 is supported by them. The adoption of this proposal, which is jointly submitted and will be presented with others, will address most, if not all, of these adverse effects, the concerns of your Petitioner and will reduce the impact on the AONB.  

   2. Your Petitioner further requests that in assessing the alternatives of adopting the full tunnel proposals instead of the Promoter’s current proposals for the AONB section of the line, the Promoter is instructed to commission and publish a fully independent cost analysis of such alternatives and to undertake and publish a full cost benefit analysis of the environmental impacts for such AONB section.  

   3. The adverse effects of the Bill with which your Petitioner is concerned and to which it objects are primarily caused by and associated with the works proposed from the
South Heath portal, empowered by Clauses 1 and 2 and Schedules 1 and 2 of the Bill and associated powers in the Bill (including the power of compulsory purchase). These include works 2/14 to 2/20 in Schedule 1 and are detailed primarily on Deposited Plans, Vol.2,1, Plan Replacement Sheets 2-24 to 2-28

4. 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 Petitioner requests that the fully bored Chiltern Tunnel is extended to Leather Lane, as it will address, most but not all, of your Petitioner’s concerns.

5. The fall back alternative to these solutions is numerous individual mitigations of the adverse impacts, all of which will cost time and money (over and above the mitigation presently proposed by the Promoter). Your Petitioner expands on the individual adverse impacts that concern it and to which it objects, and the (additional) mitigation that would be required for each, if its fully bored tunnel proposals are rejected, below.

- Your petitioner has been seriously affected by property blight. It has been shown that property values in the local area are between 13 and 22 percent lower than the ‘un-blighted’ value. Your petitioner owns and runs a small business and does not have much in the way of pension provision. Your petitioner was planning to use the proceeds of the sale of his house in order to fund his retirement.
  c. Remedies:
    Your petitioner requests that a fully bored Chiltern Tunnel throughout the AONB be implemented

- Your petitioner purchased property in a designated Area of Outstanding Natural Beauty in order to fully fill his desire to live in a peaceful and tranquil environment. Your petitioner feels strongly that the government has not upheld its obligation to the Chiltern’s AONB and feels that the government should act in accordance with the primary purpose of the AONB designation which is to conserve and enhance the natural beauty of the landscape.
  c. Remedies:
    Your petitioner feels let down in this respect and requests that a fully bored Chiltern Tunnel throughout the AONB be implemented

- Your petitioner believes that the acoustic character of the Chilterns AONB will be changed forever. As such your petioner’s quality of life will be diminished and in order to avoid the noise from both construction and train operation a material change in behaviour will be required. As such, and in accordance with the government’s Planning Practice Guidance for noise, your petitioner will be continually subjected to a Significant Observed Adverse Effect.
  c. Remedies:
    Your petitioner feels let down in this respect and requests that a fully bored Chiltern Tunnel throughout the AONB be implemented

- Your petitioner feels that averaging noise levels is not appropriate in such a quiet and peaceful area. A loud noise following by a period of quiet which is repeated every 100 seconds miss represents the impact and unfairly discriminates against residents in such quiet areas, with low background noise levels, over those within more urban settings where the background
noise levels are much higher. Your petitioner feels that HS2 Ltd’s noise impact studies are valid for urban settings but miss leading and unrepresentative for the Chilterns AONB

- Remedies:
  Your petitioner requests that dBAmax be used as a more representative indication of disruption and affect on quality of life in the Chilterns AONB and rural locations

- Your petitioner owns and runs an engineering consultancy business which has been operating for 15 years. The business offers high quality engineering design and simulation to the Nuclear, Medical and Defence industries. Your petitioner works on many technically demanding projects which require a great deal of attention to detail and concentration. Your petitioner chose the Chilterns AONB for its peaceful and tranquil setting with the understanding that it is a designated area protected by government legislation. Your petitioner is greatly concerned that the noise during construction and operation of HS2 will have a detrimental effect on his ability to concentrate on the task in hand which will lead to mistakes and errors.

  - Remedies:
    Your petitioner feels that his business will be impacted and requests that a fully bored Chiltern Tunnel throughout the AONB be implemented.

- Your petitioner’s business relies on prompt deliveries from customers and suppliers in order to operate efficiently. Your petitioner is concerned that the impact on traffic congestion will have a detrimental effect in his business.

  - Remedies:
    Your petitioner feels that his business will be impacted and requests that a properly managed traffic plan be implemented and enforced by an independent body. The costs of which should be met from HS2 Ltd.

- Your petitioner is concerned that he will not be able to continue running his business from its current location and should he decide to re-locate his business both the re-location cost and on-going additional running costs should be paid by HS2 Ltd. The on-going additional running costs should be paid until your petitioner decides to re-located his business back to original location or for a reasonable period of time after the operation phase has started.

- In addition to this substantial costs caused by delays due to increased traffic congestion during the construction phase should be passed onto HS2 Ltd

  - Remedies:
    Access to a business fund be made available as soon as construction starts and be available for a reasonable period after the operational phase has started. The fund should be easy to access and claims should be paid in a timely fashion.

6. Traffic Congestion: The disruption over eight years of access to and from Great Missenden for your petitioner travelling to the shops, medical appointments and to the station arising from the major adverse effect that will occur with the large amount of construction traffic at the Link Road (A4128) and Frith Hill roundabouts. This major
adverse effect will continue for your petitioner who needs to travel along the A413 to and from Wendover and Stoke Mandeville Hospital and Aylesbury. Your Petitioner is also concerned that avoidance of the congestion at the Link Road Roundabout will lead to rat-runs through Great Missenden and the hilltop villages especially along Kings Lane with its associated safety hazard.

Remedies:
1. An effective Traffic Management Plan to be approved by Bucks County Council with all costs of monitoring and enforcement to be borne by HS2 Ltd.
2. Reduce the amount of spoil that requires to be transported through the use of retained cuttings or a bored tunnel extension or reduce the road transportation of spoil by taking it all along the trace.
3. HS2 to work with Bucks County Council to facilitate traffic flow at the congestion points and consider slip roads, road widening etc.

7. Construction Haul Road: Your Petitioner is particularly concerned about the impact of construction traffic using the haul road from the South Heath portal onto the A413 at the Link Road roundabout, such as damage from HGVs (270 HGVs a day at the peak), noise and dust from vehicle cleaning operations and the high risk to users of the Skate Park, Tennis Courts and children's play area adjacent to the roundabout and children going to the Great Missenden Combined Church of England school nearby.

Remedies:
1. The construction haul road should be relocated further north beyond the Mobwell junction hence reducing traffic congestion at the Link Road (A4128) and the B485 roundabouts and lessening the impact and visual blight of the haul road on residents and businesses in Great Missenden. Traffic signals can be implemented on the junction with the A413 to control the flow of construction traffic.
2. The amount of spoil requiring transport by road can be reduced by moving more spoil down the trace.

8. Maintenance Access Road: The permanent maintenance and access road - Work No 2/18C from the South Heath portal joins Frith Hill (SHI) at a bend on a narrow part of the road. This leads to your petitioner having concerns about road safety especially as the footway and road is used for walking and cycling to Great Missenden. Safety could be further exacerbated by temporary contractors using it to access the portal during construction. Furthermore there is concern for the safety of children at the Great Missenden Church of England Combined School using their Forest School Outdoor Learning Centre and their playing fields as they are adjacent to the Frith Hill roundabout.

Remedies:
1. Construction traffic should not use the maintenance access road off Frith Hill during construction.
2. Any temporary construction contractors should not park their white vans at the South Heath portal but at the main construction compound at Wendover and be bussed onto the site.
3. If the construction haul road is relocated as mentioned above, it could be retained so that access to Frith Hill (SHI) will no longer be required.

1 HS2 Ltd had given Bucks CC in January 2016 an assurance that it would relocate this haul road but the conditions placed upon the County Council to achieve this were unrealistic.
9. **Noise and Dust**: Your petitioner is concerned that there will be construction noise and dust (and operational noise) as a result of the deep, wide cuttings at the South Heath portal and the cuttings beyond towards Wendover. The dust and noise will be at its worst during the eight year construction period but thereafter some mitigation of the dust will be provided when plantings have matured but not the noise.

**Remedies:**

1. Local Environmental Management Plans (LEMP) to be monitored and enforced by Bucks County Council with all costs to be borne by HS2 Ltd.
2. A tunnel extension throughout the Chilterns AONB, or at minimum to Leather Lane will obviate the need for deep, wide cuttings in the South Heath and Potter Row area.
3. Other remedies would be retained sides for the cutting and higher trackside noise barriers with barriers on the east side (as well as west) of the line towards Leather Lane.

10. **Dysfunctional Housing market**: Your Petitioner is 607 meters from the trains exit/entrance at the South Heath portal of the Chiltern Tunnel and are the finding their house prices blighted. They are concerned that they are unable to sell in what has become a dysfunctional housing market. They feel that they are trapped for 10 or more years and find the ‘Need to Sell scheme’ (NTS) complex, slow and does not ensure un-blighted house prices.

**Remedies:**

1. A further Chiltern tunnel extension throughout the Chilterns to the edge of the AONB or at least as far as Leather Lane would largely stabilize the dysfunctional market.
2. A compensation scheme that provides full current un-blighted house value to all residents when they wish to sell.... A Right to Sell Scheme. The scheme is to be administered by a body independent of HS2 Ltd, with a right to appeal. The NTS scheme needs to be made less complex, faster, more accessible, less onerous to prove qualification, friendly to the elderly and with more stringent rules to ensure reasonable un-blighted valuations.

11. **Operational Noise**: Your petitioners are close enough to the surface line to suffer operational noise at night close to the peak WHO target LOAEL of 60dBmax (23.00 - 24.00 and 06.30 to 07.30)

**Remedies:**

1. Your petitioner feels that not exceeding the peak LOAEL level of 60dBmax should be a mandatory requirement and not just an aim as outlined in Information Paper E20. Anticipated noise levels should be independently verified and based on evidence of the efficacy of alternative noise reduction methods.
2. Reasonably practicable measures to dissipate the noise should include having retained sides, or steeper slopes to the portal cutting and beyond; deeper cuttings; reducing the train speed; lengthening the porous portal; higher more absorbent noise barriers adjacent to the line to protect Potter Row; noise barriers both sides of the line and to the south of the portal to protect South Heath and Frith Hill properties and those using footpaths GM11/12 & 13.
12. Health and Wellbeing: Your Petitioner is concerned that their Health & Wellbeing has been adversely affected, and continue to be, since the announcement of HS2 in 2010. The undeniable result of HS2 is worry, anxiety and stress and, in some cases, clinical depression requiring medical treatment. A further worry is that emergency response times will deteriorate further during construction when ailments such as respiratory disorders will be at their maximum.

Remedies:
1. During the construction phase a hotline should be established for residents to raise any issues of concern over high levels of dust and pollution, with independent monitoring and powers to halt construction until preventative measures are implemented and verified.
2. The provision of an air ambulance service is requested to complement emergency medical services which are already struggling.

13. Business impact: Businesses in the area will be specifically affected by a reduction in tourists and in customer’s footfall, including 12 small businesses in the hilltop villages and approximately 70 businesses in Great Missenden. In addition, delivery vehicles will be delayed by the congestions caused by construction traffic, for example deliveries, often by articulated lorry with a trailer from Europe, to the South Heath Garden Centre. Tourism plays a significant part in local business, with visitors to the Roald Dahl Museum, local cycling groups using this area as a centre for the Chiltern Cycle way and the Chiltern Hundreds Cycle routes. There are 55 million visitors a year to the AONB bringing in £471.6 million of expenditure associated with leisure visits to the Chilterns and sustaining an estimated 12,000 FTE jobs.

Remedy:
1. For businesses which are indirectly or only temporarily affected; compensation for loss of profit, loss of trade and the fees of any professional advisor appointed by the business.
2. A substantial reduction in business rates where applicable.

14. Chilterns AONB: The proposed line is above ground from the South Heath portal of the Chiltern tunnel for 9 kms to the edge of the Chilterns AONB just north of Wendover. It is in a cutting for approximately 3 kms and will be visible at the highest point of the line in the vicinity of Liberty Lane, notwithstanding the sight of the security fences and catenary masts above the cuttings which will be a major permanent eyesore along the length of Potter Row.

The proposed line from Liberty Lane descends to Wendover and crosses two large unsightly viaducts at Wendover Dean and Small Dean in the Chilterns AONB before reaching a green tunnel running alongside Wendover.

Construction will last up to 8 years with a peak period of more than 3.5 years. HGV traffic, noise and dust will render the rural lanes and footpaths less attractive to all visitors to this area of the AONB whether they are ardent walkers/hikers, currently popular with those groups taking the Duke of Edinburgh Award, or cyclists as it is Route 57 on the National Cycle Network or just families coming for a day-out from London to enjoy the countryside.

Remedies (apart from a fully bored tunnel throughout the AONB):
1. The AONB review body must ensure that the viaducts and embankments with enclosures to reduced noise are made as visually pleasing as possible. The design
of the new permanent buildings erected by HS2 Ltd to be in-keeping with the surrounding area.

2. The vertical alignment of the track between the South Heath portal and Wendover should be lowered further, if it is not to be placed in a tunnel, to reduce the intrusion of the viaducts; to conceal catenary masts and gantries and reduce the height above the general ground surface of accommodation footbridges. The contractor should not be empowered to raise the line at all on the AONB section.

3. The need for spoil dumps should be minimised either by tunnelling or moving the spoil down the trace or by rail. This particularly applies to the spoil dump planned for Hunts Green farm and those by the construction compounds.

4. The Rights of Way are not to be closed for any length of time and any diversion not to be parallel to the track; furthermore diversions should be over green bridges and not accommodation bridges.

5. All overhead power lines adjacent to the route be buried.

6. Alternatives to Balancing Fonds be considered, and they should be made ecologically and visually attractive, in-keeping with AONB.

15. **Code of Construction Practice**: The Code is a draft; it is not specific about timing of works, or monitoring by the Local Authority and is subject to a sub-contract with the nominated undertaker.

Remedies:

1. Daily movements of HGVs to be restricted to between 09.30 and 15.30 hrs and prohibited from using rural lanes.

2. Construction activities should be subject to strict noise limits and light emission limits from night security lighting (there is no street lighting near the construction compounds) and activities restricted to times that are unlikely to affect the sleep patterns of children and the elderly. Furthermore, the Local Authority should be funded to enforce monitoring and policing of the noise and light emission limits and activities, and work should stop if the limits are exceeded.

3. During the construction phase a hotline should be established for residents to raise any issues of concern and for road users to report damage, also for an independent HS2 adjudicator to review issues, monitor progress with enforcement orders and facilitate claims.

16. **Primary Mitigation**

Accordingly, your Petitioner objects to the associated works and the clauses in the Bill that empower the works involved, and humbly requests your honourable House to modify the Bill, and/or require undertakings of the Promoter, to remove these adverse effects, primarily through a fully bored tunnel throughout the Chilterns AONB or at least to Leather Lane.

17. **Secondary Mitigation**

In the alternative to the extension of the fully bored Chiltern Tunnel that your Petitioner seeks, your Petitioner requests that the haul road from the South Heath portal to the Link Road roundabout be moved along the A413 beyond the Mobwell junction, as it will help to lessen the impact of the construction traffic on the Great Missenden Area.
Other Matters

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

Conclusion

Your Petitioner supports the petitions for a longer fully bored Chiltern Tunnel that extends throughout the Chilterns AONB. Such tunnel extension is being petitioned by the local County, District and Parish Councils and the Chiltern Conservation Board and in the alternative a shorter extension to Leather Lane. If your honourable House alters the Bill to provide for such an extended tunnel most of your Petitioner’s objections would be removed (your Petitioner’s objection to unsuitable ancillary structures and to the present proposals for compensation would remain – albeit far fewer residents would be affected).

In the alternative to extending the fully bored Chiltern tunnel, your Petitioner seeks a significant secondary mitigation by relocating the haul road at the South Heath portal.

For the foregoing and connected reasons your Petitioner 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 and your Petitioner’s area, along with the wider AONB, be not 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’s parishioners, their rights, interests, property and your petitioner’s area and for which no adequate provision is made to protect your Petitioner.

4. The prayer

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 petitioner remains, etc.

For and on behalf of Sowdown Limited

Derek Jones
Director

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

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

THE PETITION OF John Skrimshire Chairman Great Missenden parish Revitalisation Group
Declares that:

1. The petitioner is specially and directly adversely affected by the whole Bill, because the inclusion of Additional Provision 4 (AP4) moving the tunnel portal site directly adjacent to South Heath with a new haul Rd directly off Link Road Great Missenden, will deliver significant levels of traffic congestion and rat-running affecting the High St Great Missenden and surrounding roads, directly affecting the ability of the petitioner (who is dependent on his car for mobility) to access local services, including essential health services, in a predictable and timely manner.

2. Your petitioner is John Skrimshire, Chairman of the Great Missenden Parish Revitalisation Group (GMPRG). GMPRG is a voluntary group part funded by Chiltern District Council that exists to promote the social, economic and environmental well-being of the Parish of Great Missenden. Your petitioner has lived in the centre of Great Missenden village for fifty years and has been involved in many charitable and voluntary groups since the 1960s. Your petitioner has an almost unique knowledge and understanding therefore of the economic and social interdependence between Great Missenden village and surrounding hill-top villages. Your petitioner participated in two bilateral meetings with the promoters of the Bill to discuss mitigation measures for Great Missenden Parish and played an active role in the Community Forum process.

3. Great Missenden is situated in the very heart of the Chilterns Area of Outstanding Natural Beauty (AONB), and its >50 village businesses (almost all independent businesses) and wide range of health, education, local transport and other services reflect the significance of the village to the AONB and to the communities within it. Great Missenden has a population of 2,500, making it by far the largest of the Misbourne valley and ridge top villages directly impacted by the promoters’ scheme in this part of the AONB.

4. Great Missenden is also a tourist and day tripper destination in its own right. The village is home to the internationally famous Roald Dahl museum, which attracts over 70,000 visitors to the village per annum, including approximately 10,000 school children in organised school trips and yet the promoter has consistently failed to consider the negative impact of its scheme on our crucial local tourist economy.
5. Your petitioner is concerned that the measures contained in AP4 will worsen levels of congestion and rat-running in the village, with direct negative impacts on the tourist economy and the long-term financial viability of businesses in the village. The promoter acknowledges that the C6 scheme’s reliance on a new haul road from the Link Rd roundabout will result in a "major adverse significant impact" at the A413/Link Rd junction. This represents a very significant worsening of the impact as reported in the scheme’s original Environmental Statement.

6. Despite the private agreement reached in January 2016 between the promoter and Buckinghamshire County Council to consider options for moving the proposed haul Rd further north, at the time of writing we believe that the promoter has still not provided the necessary baseline information which the Highways Authority needs to try to develop alternative solutions, all subject to local consultation. We are disappointed that this crucial issue for our village was never aired properly during the Commons Select Committee phase of the Bill, despite concerns being expressed by Committee members about the impact of the revised scheme on the village of Great Missenden, nor do we have any confidence that Bucks CC will in practice be in a position to deliver an alternative given the onerous conditions insisted upon by the promoter in the January agreement.

7. In particular your petitioner requires that spoil removal locally, should be north along the trace rather than via the new haul road and the local road network. Your petitioner objects most strongly to the fact that little if no consideration has been given by the promoter to the negative impacts of the proposed new road, associated infrastructure, traffic movements and congestion on the village of Great Missenden. If spoil removal via the trace is not agreed, then as an absolute minimum, the proposed new construction access road from the A413/A4128 Link Rd roundabout, the main entrance point to the village from the A413, must be moved much further north (ie north of Leather Lane) to avoid such direct impacts on the village centre.

8. Your petitioner is concerned that the addition of the access road satellite compound immediately adjacent to the A413, the repositioning of electricity pylons, the relocation of two material stockpiles to the new access road, the requirement for 10.6 ha of additional land for the construction of the new portal access road on land directly opposite the village centre and the 8 year operation of the main Chiltern north portal satellite compound, will have a severe visual impact on sight-lines from the village centre, plus associated noise and air quality impacts on people living, working in and visiting Great Missenden.

9. Your petitioner is dismayed that despite the promoter’s claim in July 2015 that C6 would benefit people “in” Great Missenden, the Bill largely ignores the impacts of the revised scheme on the largest population centre in the Community Forum Area 9 area by failing to consider the socio-economic impacts of the scheme for businesses in the village and in particular its impacts on tourism.
10. The promoter claims that the extension of the Chiltern tunnel will “result in the retention of a total of 5 jobs,” presumably those currently affected by two business demolitions required by the original scheme, but once again the promoter completely ignores the negative impacts of the scheme, including the eight year construction period on tourism related jobs in the heart of Great Missenden.

11. Your petitioner requires the promoter to undertake further viewpoint and noise impact analysis of the revised scheme from west of the A413, including from the village primary school grounds and the residential Elmtree Green.

12. Your petitioner believes that the only practicable solution to the noise, transport, local economy, environmental destruction and other negative impacts of the promoter’s scheme is a fully bored tunnel throughout the entire AONB. That is the only measure that would fully protect Great Missenden village and the central Chilterns area in its entirety, delivering very significant environmental advantages including (but not limited to) minimal disruption to our community and to its vital local businesses and services, no loss of jobs, no loss or severance of farmland, a significant reduction in noise issues, much reduced impact on wildlife and local biodiversity, limited damage to the vital AONB tourist economy and amelioration of stress, anxiety and depression among local residents. If that is rejected again, the petitioner asks that the “C6” tunnel portal site is moved northwards away from Great Missenden village, as an absolute minimum to implement in full the REPA C5 proposal.

13. Your petitioner further requests that Members of the Committee visit our village for a public meeting hosted by the Village Association and also to visit the extended C6 portal site area, including the proposed new access road, before reaching a decision on the extended tunnel issue.

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.

Cllr Sebastian Berry (Agent for John Skrimshire)
11th April 2016
To the House of Lords Session 2015–16

PETITION against the HIGH SPEED RAIL (LONDON TO WEST MIDLANDS) BILL

THE PETITION of KENNETH THOMAS SALMON, MARJORIE SALMON, STUART CROMPTON, LYNN CROMPTON, GORDON LYON, DIANE LYON, JOAN KELLY, COLIN ROCK, LYNN ROCK, MARK CARLO, HELEN CARLO, GRAHAM HOLLICK, NAOMI HOLLICK, IAN LOMAS, SUE LOMAS, DAVID MEADOWS, SUE MEADOWS, BOB MANSELL, BRENDAN MANSELL, D P SWINDELL, ANN WILMOTT, CAROL HUNTER, SARAH WOLSTENHOLME, PETER RIMMER AND JANE RIMMER

DECLARERS that:-

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

2. Your petitioners are owners and occupiers of various private dwellings in Pendle Gardens and Wigshaw Lane Culcheth Warrington Cheshire WA4 4LU living at the addresses listed at the bottom of this Petition ("the Properties") which are located in the vicinity of the proposed route of Phase 2 of HS2 which the Bill may "specially and directly affect".

3. The petitioners are directly affected by clauses 51 and 52 of the Bill which give right of entry to the petitioner's Properties and in addition the principles and the decisions reached in respect of Phase 1 will set standards for the Hybrid Bill for Phase 2, where it will be substantially more difficult to challenge such arrangements as have by then been approved. Your petitioner's rights, interests and Properties are therefore injuriously affected by the Phase 1 Bill.

4. Your petitioner's concerns are summarised below.

Access to land for surveying

5. The petitioners are concerned that rights of entry and authorisations to enter land for surveying purposes go beyond the rights that are reasonably necessary. This permits entry to any land anywhere in Great Britain for the purpose of any high speed railway which Ministers might wish to propose in the future. It is outside the long title and scope of the Bill, not being a purpose connected with HS2.

6. The petitioners request that Clauses 51 and 52 should be amended so that land can only be accessed with the landowner's and occupier's consent.

Compensation under Clause 52(5) is limited to damage to land or other property and does not include any other losses, such as the owner or occupier being deprived of the use of the land or incurring extra costs to manage entry onto his/her land. The compensation provision is narrower than in other legislation (for example, section 292 of the Highways Act 1980) and if a right of entry is retained then it should be amended.

Compensation

7. The petitioners submit that the compensation provisions in relation to property that is not compulsory acquired does not offer sufficient redress for the loss and damage they are likely to incur as a result of the plan for Phase 2 of the high speed railway and associated development, as supported by the rights of entry for survey purposes and the increased possibility of these plans being realised if Phase 1 is approved.
9. The petitioners request that the Bill be amended to ensure those persons who are injuriously and adversely affected by loss of value of Property should be entitled to claim compensation for the full amount of loss incurred due to HS2 including but not limited to, inability to sell Property, reduction in sale or letting value of Property, noise and other mitigation measures, changes to access, cost of removal and associated legal fees and other expenses.

Limits of Deviation

10. The petitioners are concerned that paragraph 1(2) of Schedule 1 of the Bill provides that in constructing or maintaining any of the scheduled works the Nominated Undertaker can deviate vertically upwards not exceeding three metres, vertically downwards to any extent and laterally to any extent within the limits of deviation shown on the deposited plans.

11. The petitioners are concerned that these deviations could potentially make significant differences to the impact of the construction and operation of the line and associated development, for example by raising the track height to the detriment of the amenity of the landscape. These potential environmental impacts are not adequately addressed in the environmental statement, which provides that the Nominated Undertaker only has to use reasonable endeavours to adopt measures to reduce adverse environmental effects provided it does not add unreasonable cost or delay to the construction and operation.

12. The petitioners request that the provisions in the Bill to allow deviation upwards and laterally should be deleted.

Noise

13. The petitioners are concerned that HS2 Ltd has not set proper noise thresholds and ignored national policy in this area and the views of the World Health Organisation. The petitioners submit that the noise limits set for Phase 1 will determine the design parameters for rolling stock and track design which will also be used in Phase 2.

14. The petitioners are concerned that the specific impacts of ground borne noise have not been properly considered or explained to affected communities and the limit for ground borne noise does not reflect recent good practice or experience and the methodology used for predicting the impact of ground borne noise is insufficiently robust and no amelioration measures have been suggested to deal with this problem.

15. The petitioners therefore request that:

15.1 HS2 Ltd issue revised noise thresholds covering noise exposure, in rural and urban areas during the day and at night-time which reflect World Health Organisation guidelines including World Health Organisation guidelines on peak noise (60db max pass-by outside, giving 45db inside).

15.2 HS2 Ltd is required to set noise limits for construction which are in line with World Health Organisation limits and local authorities be provided with enforcement powers to order the cessation of construction activities in the event such anticipated exposures are breached.

15.3 HS2 Ltd is obliged to commit to designing the high speed railway to operate in such manner that the revised noise exposures are not breached.
15.4 A binding requirement be included in the Bill for noise monitoring with obligations on HS2 Ltd to introduce additional mitigation measures, including reduction in train speeds, in the event forecast noise levels are exceeded.

15.5 HS2 Ltd is required to commit to the same threshold for ground borne noise as the Northern Line Extension - meaning ground borne noise levels no greater than 25dB LpAsmax for rural areas and 30dB LpAsmax for urban areas.

16. The petitioners are further 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 for arbitration. The petitioners are also concerned that Schedule 25 would provide a defence to statutory nuisance for the Nominated Undertaker.

17. The petitioners propose that Clause 35 and schedule 25 are deleted from the Bill.

**Code of Construction Practice**

18. The petitioners are concerned that the Nominated Undertaker's ongoing accountability is unspecified and that this principle, if adopted, would be highly detrimental to communities located on Phase 2 of the proposed route of HS2. The Code of Construction Practice does not identify how any lead contractors will be made to comply and the redress and appropriate action that might be taken in the event that the contractors do not comply with the Code of Construction Practice. Assessment in the environmental statement is made on the assumption that the Code of Construction Practice and the strategies will be fully effective. However, the Code of Construction Practice has no legal status.

19. The petitioners submit that the Code of Construction Practice should be incorporated into the Bill. Parliament and not the Nominated Undertaker should be accountable for the project and any monitoring required under the Code of Construction Practice should involve the relevant local authority and if necessary, independent experts with effective oversight and redress arrangements in the event of non-compliance with the Code.

20. The standards set out in the environmental statement and the Code of Construction Practice is of "reasonableness" and "reasonable endeavours". The petitioners submit that this should be replaced by a higher standard, such as "best practical means" and the measures should be agreed with the relevant local authority, be subject to independent assessment verifiable and challengeable. This applies to noise as well as other effects that are to be addressed in the Code of Construction Practice.

**Carbon**

21. The petitioners are concerned about the impact of the high speed railway on the UK's carbon reduction commitments and requests that in accordance with the House of Commons Environmental Audit Committee Report dated 2 April 2014 there should be an emissions monitoring system to bring transparency to the likely effect of the high speed railway on overall transport emissions and a reduced maximum speed until electricity generation has been sufficiently decarbonised to make it a marginal issue.
Power to acquire land, rights in land, airspace and subsoil

22. The petitioners are concerned that the powers sought in the Bill go beyond the scale of powers that are reasonably required to achieve the construction and operation of the high speed railway and its associated development particularly in relation to the acquisition of land and rights in land, air space and subsoil. The petitioners would be injuriously affected should such principles be adopted in Phase 2.

23. The petitioners are also concerned by Clause 47 of the Bill (compulsory acquisition of land for regeneration and relocation) which is too broad in scope and is not limited by time or distance and submit that this power should be removed.

Ecology

24. The petitioners are concerned about the adverse impacts of the construction and operation of the high speed railway and associated development on fauna and flora. A particular concern is the failure of the Environmental Statement for Phase 1 of HS2 to include any assessment of the in combination effects arising from the plans for Phase 2. The absence in the Hybrid Bill of any requirement for HS2 Ltd to ensure their activities result in No Net Loss of Biodiversity is cause for further concern. The petitioners highlight the number of sensitive sites (including Sites of Special Scientific Interest, County Wildlife Sites and Local Wildlife Sites) which would be impacted should Phase 2 of HS2 proceed.

25. The petitioners request that in accordance with the House of Commons Environmental Audit Committee Report dated 2 April 2014, a process should be established to monitor all aspects of environmental protection needed for 60 years following the start of construction and operation of the railway, including biodiversity mitigations, compensation off-set. This process needs to be managed by an independent body, which monitors and publicly reports progress against the “no net biodiversity loss” objective. A detailed costing should also be established for monitoring and reporting and for the environmental protection being overseen, and the detailed costs ring-fenced and a separate budget provided for these purposes.

26. The petitioners further requests that other recommendations in the House of Commons Environmental Audit Committee Report dated 2 April 2014 are followed including but not limited to the revising of the environmental statement to distinguish clearly between mitigation and compensation measures in respect of biodiversity, for outstanding environmental surveying as soon as possible, weighting metrics for biodiversity offsetting towards production of biodiversity gains and taking explicit account of communities’ wellbeing, adjusting metrics to encompass the precautionary principle, treatment of ancient woodlands should be separately from the overall biodiversity net loss calculation, re-examining scope for off-site biodiversity compensation, research on alternative discount factors for the off-setting metric.

Nominated undertaking

27. The petitioners have concerns in relation to the appointment of a Nominated Undertaker and the associated risk of them failing to fulfil their obligations and the fettering of the Secretary of State’s discretion by agreement with the Nominated Undertaker.

28. The petitioners request that provision be made in Clause 43 of the Bill enabling enforcement against the Secretary of State in the event of the Nominated Undertaker failing to fulfil their obligations.
Environmental Statement

29. The petitioners are concerned by the absence of any specific provision to compel the Nominated Undertaker to implement mitigation measures identified in the Environmental Statement accompanying the Bill. Failure to include such provision would, the petitioners submit, be contrary to the purposes of the EIA Directive and be highly damaging to communities located on Phase 2 of the route.

30. The petitioners submit that the Environmental Statement accompanying the Bill is deficient, for the reasons set out HS2AA's Environmental Statement Consultation response.

31. In light of the above, the petitioners reserve to the extent possible, 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 these expressed concerns that may occur in due course and prior to the hearing of this Petition.

32. For the foregoing and connected reasons the petitioners respectfully submit that, unless the above mentioned clauses of the Bill are removed or amended, then the Bill should not be allowed to pass into law.

Summary

33. If the Bill is passed into law as it now stands it will prejudicially affect the petitioners and their rights, (including their human rights) interests, and Properties in ways for which no adequate protections exist and other clauses and provisions are necessary for their protection and benefit.

Permission

34. To the extent necessary the petitioners seek leave to Petition the House of Lords in respect of the Phase I Hybrid Bill for the reasons set out in paragraph 3 above. The petitioners pray in aid, the fact that they were permitted to petition the Commons in respect of the Phase I Hybrid Bill when the Promoters did not challenge the petitioners' locus standi it being accepted that it would be just and convenient to hear those affected by Phase 2 in respect of matters such as compensation and mitigation measures common to both Phases.

Dated 18 April 2016
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.

Stuart and Lynn Crompton 8 Pendle Gardens Culcheth

Gordon and Diane Lyon 10 Pendle Gardens Culcheth

Joan Kelly 12 Pendle Gardens Culcheth

Colin and Lynn Rock 14 Pendle Gardens Culcheth

Kenneth and Marjorie Salmon 16 Pendle Gardens Culcheth

Mark and Helen Carlo 18 Pendle Gardens Culcheth

Graham and Naomi Hollick 20 Pendle Gardens Culcheth

Ian and Sue Lomas 22 Pendle Gardens Culcheth

David and Susan Meadows 24 Pendle Gardens Culcheth

Bob and Brenda Mansell 38 Pendle Gardens Culcheth

D P Swindell 88 Wigshaw Lane Culcheth

Ann Wilmott 91 Wigshaw Lane Culcheth

Carol Hunter 92 Wigshaw Lane Culcheth

Sarah Wolstenholme 96 Wigshaw Lane, Culcheth

Peter and Jane Rimmer 104 Wigshaw Lane Culcheth
To the House of Lords
Session 2015-16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Mr Fred Dawson and Mrs Jean Valerie Dawson

Declares that:

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

2. Your petitioner

Your Petitioners are Fred and Valerie Dawson the freeholders of Harvil Farm, Harvil Road, Ickenham, Uxbridge UB10 8AJ. It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of the Petitioner and accordance with the standing orders of your honourable House notice has been served on your Petitioners of the intention to seek such compulsory powers. Your Petitioners’ farm is a commercial livestock holding which has been run by the Dawson family for over 30 years. The farm sits on the edge of Ickenham and provides a rare opportunity for those living within the urban area to have direct contact with a commercial agricultural unit. It provides an essential part of the local economy.

The proposals for the scheme show on the plans attached to the Environmental Statement 3 and Additional Provision 4 (October 2015) Environmental Statement – Volume 3, no’s CT-05-019A and CT-05-019A-L1 (both construction phase SES3 and AP4 ES) and CT-06-019A and CT-06-019A-L1 (proposed scheme SES3 and AP4 ES) that a further 40% of the total farm area, totalling approximately 7.79 Hectares (19.26 acres) is to be taken for the purpose of Amended Sustainable Placement, which includes temporary material stockpile and land potentially required during construction. This extends the total land take to 85% of the total farm area by the scheme for either temporary or permanent use, which makes the farm an unviable enterprise. In an otherwise urban area there is no other land available to replace on a temporary or permanent basis the land lost to the scheme and the Petitioner will be unable to continue the farming business on the remaining land.

3. Your petitioner’s concerns

Your petitioner has accepted that the farming business will be totally unviable as a result of the scheme and is aware that there are Statutory Blight and the HS2 Express Purchase Schemes are likely to apply.

Inheritance tax

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).

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.

In this case your petitioner is concerned that there is a clear risk that he might die before replacing the monies received with further assets with the result that his Estate incurs IHT which would not otherwise have been payable. Similarly, with regards to Capital Gains Tax should your petitioner sell during his lifetime it is likely he will be 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 petitioner dies afterwards then, provided the petitioner has taken reasonable steps to replace the asset (albeit without success) at the time of death, then the petitioner’s estate should be excused having to pay IHT in respect of the compensation payment.
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.

Edward Henry Stephen Briggs

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

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Wells House Road Residents Association (Patrick Quinn)

71 Wells House Road London W10 6ED

Declares that:

One of the main factors in our acquisition of this property was the scenic view of woodland in the back garden, something quite hard to find in London. Also the cityscape including sights of famous London landmarks (London eye, The Shard and many more) which can be seen from the first floor bedroom and loft.

The proposed Building plans completely destroy views of a calm woodland backdrop and cityscape with iconic architecture and replaces them with a huge via duct at bedroom height with high speed trains passing every 10 minutes as well as a massive electrical substation at the back of our garden.

At the time of purchase, nothing whatsoever came up in the solicitors searches to indicate these adverse effects so close to the property.

To add insult to injury, we are not being offered anything by the way of compensation because the property was purchased after 2010.

We cannot be expected to suffer the day to day consequences of these plans for years to come without any regard whatsoever being taken of our significant loss.

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 directly affected by the HS2 Old Oak Common interchange construction and operation, and the works described in the HS2 Environmental Statement. My 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

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 substations 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 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.

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.

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. 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 Limited’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.

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.
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.

Your signature:

Your name: Patrick Quinn

Date: 18th April, 2016
To the House of Lords
Session 2015-16
PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Mr Toby Dalton and Mr William Dalton

Declares that:

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

2. Your petitioner

Your Petitioners are the freeholders of Copthall Farm, Breakspear Road South, UB10 8HS in the county of Middlesex. It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of the Petitioner and accordance with the standing orders of your honourable House notice has been served on your Petitioners of the intention to seek such compulsory powers. Your Petitioners Farm is a commercial livestock holding which has been run by the Dalton family for several generations. The Farm lies on the edge of Ickenham and provides a rare Opportunity for those living within the urban area to have direct contact with a commercial agricultural unit. It provides an essential part of the local economy with your Petitioners operating a Farm Shop which serves the local community produce directly from you Petitioners' holding. The proposals for the scheme show on the plans attached to the Environmental Statement, no's CT-05 019A and CT-05-019A-L1 (both construction phase) and CT-06-019A and CT-06-019A-L1 (proposed scheme) that virtually all of the farm land within your Petitioners' holding is to be taken for sustainable placement during the construction phase.

3. Your petitioner's concerns

Your petitioner considers that the farming business will be totally unviable as a result of the scheme and is aware that there are Statutory Blight and the HS2 Express Purchase Schemes are likely to apply. Your Petitioner is concerned that the current tax regime set our below will adversely affect them when land is compulsory acquired by HS2.

Inheritance tax

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).

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.
In this case your petitioner is concerned that there is a clear risk that he might die before replacing the monies received with further assets with the result that his Estate incurs IHT which would not otherwise have been payable. Similarly, with regards to Capital Gains Tax should your petitioner sell during his lifetime it is likely he will be 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 petitioner dies afterwards then, provided the petitioner has taken reasonable steps to replace the asset (albeit without success) at the time of death, then the petitioner's estate should be excused having to pay IHT in respect of the compensation payment.
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.

Edward Henry Stephen Briggs

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

PETITION against the  

High Speed Rail (London – West Midlands) Bill  

THE PETITION OF Peter and Margaret Hughes  

Declares that:  

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

2. Your petitioner  

   The petitioners are the freehold owners of Truggist Hill Farm, Truggist Lane, Berkswell, West Midlands, CV7 7BW  

3. Your petitioner's concerns  

   Truggist Hill Farm lies directly on the route of Phase I, and will lose approximately 84% of its land area on a temporary or permanent basis during the works. The permanent loss will include the loss of a large concrete yard of about 1.88 acres, together with a building of approximately 20,000 sq ft.  

   The building and yard have the benefit of a Certificate of Lawful Use and Development (CLUED) from Solihull MBC under reference PL/2015/52316/CLUED, which allows the majority of the building and yard to be used for (in summary) the storage and general maintenance of commercial vehicles, plant and equipment, and use as a builders/contractors yard.  

   The Petitioners (represented by Brendan Connor) attended the Commons Select Committee and one principal issue they raised was the fact that the permanent loss of land to HS2 would result in them not having sufficient land on which to benefit from Permitted Development rights for the erection of a replacement building on their retained land.  

   This point was taken up by the committee and HS2's representatives, and confirmation was given that assistance would be given to the Petitioners in their attempt to get planning permission for a replacement building, to allow the current uses to continue. This is evidenced by the transcript of that day's Select Committee hearing, at para 511 (Mr Mould QC), and also at paras 543-554 (Mr Mould QC, Sir Peter Bottomley, and the committee Chair).  

   Following discussions, and a planning application made by the Petitioners, the local planning authority are unwilling to allow the erection of a new building for the same purposes as the building the Petitioners are losing (ie the uses defined by the CLUED specified above).  

   Your Petitioners therefore request that a clause is inserted in the Bill to the effect that a building of approximately 5000 sq ft is to be erected on the Petitioners retained land by HS2, which is capable in both design and planning terms of being used for the same uses as the existing CLUED, to enable the Petitioner to continue as far
as is possible with the lifestyle and business arrangements that they currently enjoy.

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.

Margaret Hughes

Peter Hughes

James Collier BSc MRICS FAAV (Agent)

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 Jonathan Karl Clover

Declares that:
1. The petitioner ('Your Petitioner') is specially and directly adversely affected by the whole Bill.

2. Your petitioner

Your Petitioner is, Jonathan Karl Clover resident at 2 Vinetrees, Wendover, Buckinghamshire HP22 685 who the whole 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. Your petitioner is over 60 and has found the consideration of the HS2 Bill through Parliament wearing and disheartening. His health has been in part affected by the Bill. He petitioned the House of Commons Select Committee on similar grounds to those set out in this Petition, but felt that the needs of their community of Wendover were insufficiently considered by that Committee in its decision, and that effective measures to protect the environment, and economy of the AONB, and the surrounding areas, were disregarded.

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 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, and footpaths which will cross and be affected by the construction of the proposed line and needs to use the roads, and footpaths, for access to Wendover and its surrounding areas, in particular, for shopping, recreation, medical services and rail, and bus, 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, and footpaths 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.

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 emphasises 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 Petitioners request 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 are 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 in accordance with 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 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 Steve 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 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 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.

Jonathan Karl Clover

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

DECLARATIONS

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

The Petition of Euston Design  

Declarer that:  

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

2. Your Petitioner is Euston Design, 69 Cobourg St, London NW1 2HH  

Your Petitioner and his interests are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing. Your petitioner confirms that the sole principal of Euston Design is Jeffrey Travers.  

Your petitioner confirms that the Euston Design office is located at Bree Louise in Coburg Street and the building housing this office is designated for demolition by the promoter.  

Your petitioner notes that Jeffrey Travers is also (privately) specifically and directly adversely affected by the whole Bill because HS2 have positioned its tunnels so as to cause significant subsidence to his Flat in Primrose Hill: namely at Flat 1 62 Gloucester Avenue NW1 8JD. Your Petitioner also notes that enjoyment of his allotment in Belsize Park facing the Adelaide Vent Shaft site will be adversely impacted because HS2 say that vehicle access will be also impossible during construction of the vent shaft  

2.2. Your petitioner notes that Euston Design has created an alternative design to the promoter’s AP3 design for Euston Station and approaches and this design permits the tunnel alignment proposed within the Hybrid Bill approximately north of AP3’s portals (although also it enables the tunnel alignments to be moved away from housing in Primrose Hill). Your petitioner notes that this alternative design is called DDD3* within this petition.  

2.3. Your petitioner clarifies that ‘DDD3*’ stands for ‘Double Deck Down version 3 star’. Euston Design is the design organisation that has created the Double Deck Down station designs for Euston (aka “double decked down”) called DDD, DDD2, DDD2+ and DDD3 (the latter which was presented as evidence to the House of Commons Select Committee). The promoter has referred to all but the last version within advice to the public regarding petitioning about these designs in relation to the SES and Hybrid Bill.  

2.4. Your petitioner notes that Euston Design’s DDD3 incorporates changes to the promoter’s Euston design brief recently revealed in the AP3 station design within the AP3 SES but with minimal environmental impact in contrast to the promoter’s very damaging design. For example DDD3* does not require the demolition of the Euston Design office in Coburg.  

2.5. DDD3* is a version of the DDD3 design that has been adjusted so flaws previously identified no longer exist and therefore the House of Lords Select Committee will easily be able to confirm that DDD3* is technically feasible.
3. Your Petitioners' Concerns

3.1. The Demolition of the Euston Design office in Coburg Street (together with the demolition of other property to the west of Melton Street and Cardington Street and Hampstead Road)

3.1.1. Your petitioner is concerned that his Euston Design office in Coburg Street will be demolished by the promoter to make way for a new high speed station. Your petitioner notes that his new DDD3 station design completely mitigates the above impact yet it satisfies the promoter's AP3 station brief. Also your petitioner can demonstrate that (unlike the promoter's AP3 design) DDD3 complies with the Euston Area Plan.

3.1.2. But your petitioner is dismayed that the promoter has misrepresented his previous DDD, DDD2 and DDD2+ designs in written guidance to the public regarding the Supplementary Environment Statement for AP3. In misleading the public in this way the promoter appears to have undermined HS2's integrity and cast doubt on the technical credibility of all its documentation - as well as muddying the water. Your petitioner testifies that proper consideration of DDD3 or of his other DDD designs noted above has yet to take place (contrary to the implication of the advice circulated to the public that the Bill's presenter has instructed the promoter - in the early summer of 2014 - to do no further work on DDD. But the evidence that the presenter cites to support his decision is demonstrably baseless and therefore false).

3.1.3. The House of Commons Select Committee concluded that DDD3 was not feasible because of two design flaws which they had identified in DDD3. Now DDD3* addresses the two flaws. However one of these flaws appears to be mistaken (maybe the result of the Commons Select Committee not understanding the drawings contained within the Euston Design evidence). The HS2 evidence also misled the Select Committee regarding this. So DDD3* does not address this 'so-called flaw' it merely proves beyond doubt that HS2 were wrong in their advice to the Commons Select Committee and demonstrates that a satisfactory provision had been presented to the Committee within DDD3 as evidence (but they missed it).

3.1.4. Your petitioner notes that the promoter does not refer within AP3 SES to any of your petitioner's above designs. Any references to Double Deck Down station design within the SES relate to the promoter's very different double deck down station designs designed by their own engineers. Your petitioner is saddened to report that suggestions by the promoter in documents that their flaws in the engineer's double deck down designs are shared by your petitioner's designs are misleading and these suggestions reduce the credibility of the promoter's engagement and technical advice.

3.1.5. Your petitioner also notes that the Promoter incorrectly alleged to the Select Committee that Euston Design were previously aware of the flaws that the Promoter put to the Select Committee as a result of technical meetings with Euston Design over several years. Euston Design has presented evidence to Public Administration and Constitutional Affairs Committee (PACAC) "Follow-up Inquiry on HS2" which has been accepted and this evidence proves that no such technical meetings had occurred. This evidence identifies in detail that Euston Design had sought such meetings and even held meetings with the...
promoter in order to arrange them but the Promoter refused to participate in the technical meetings themselves (sometimes pulling out at the last minute).

3.1.6. So this Petition to the House of Lords represents the Petitioner's first chance to address the promoter's technical concerns about our designs (as revealed to Euston Design verbally in HS2's evidence to the Commons Select Committee)

3.2. Regarding the blight and uncertainty to which the AP3 design subjects his neighbourhood in Euston: ie neighbouring homes, schools and offices

3.2.1. The House of Commons Select Committee's overall solution for Camden, that we should rely on HS2's assurances to Camden Council (the key ones of which are as yet unknown at the date of petitioning), is a completely inadequate safeguard of our interests. Particularly the scope of the AP3 design does not provide a comprehensive integrated design solution for the whole station site to include the main Crossrail ticket hall within the existing station footprint. Nor will it be possible for such a design to be formulated within the timescale of the Hybrid Bill and it is clear that the construction of such a design is likely to be impossible without largely closing down the existing station. So any assurances from the promoter to Camden regarding this are mere aspirations which we fear will limit the scope and effectiveness of Camden's evidence to the House of Lords Select Committee.

Your petitioner is concerned that the inherent lack of explicit comprehensiveness of the AP3 design will extend the current blight and uncertainty, while the lack of integration will extend station traffic (so it severely impacts on the surrounding area with the effect of impacting on his life). The lack of integration will also reduce the internal interchange performance of the AP3 station. Eg it will be far quicker for high speed travellers at the north end of the platforms to change to Crossrail 2 by taxi than walking within the station.

Your petitioner is concerned that the lack of comprehensiveness of the AP3 design will extend the current blight and uncertainty, while the lack of integration will extend station traffic (so it severely impacts on the surrounding area with the effect of impacting on his life).
3.2.2. Your Petitioner is concerned that taxis which currently operate within the station basement will be displaced by the construction of AP3 Phase A into the surrounding area in a various makeshift arrangements with resulting pollution and danger to pedestrians and inconvenience to travellers.

3.2.3. Your Petitioner is concerned that the AP3 SES relies solely on road transport to cart away spoil and import materials and plant. The AP3 design presents very little opportunity to switch to rail freight. Yet the design requires the demolition and deep excavation of a large area of Euston and significant infrastructure in Park Village East involving the removal of two and a half million tonnes of spoil. Your petitioner cycles from his home to his office and is concerned that the enormous volumes of road construction traffic predicted by HS2.

3.3. Regarding Jeffrey Travers home in Primrose Hill

3.3.1. Your Petitioner is concerned because HS2 have positioned its tunnels so as to cause significant subsidence to his Flat in Primrose Hill: namely at Flat 162 Gloucester Avenue NW1 8JD. Particularly he is concerned that HS2 propose to hand dig a tunnel addit below him causing massive extra settlement. Your petitioner notes that HS2’s reassurances that the subsoil is virgin clay are incorrect. Your petitioner has record drawings that prove that the subsoil is deep fill removed from the cutting at the Adelaide Nature Reserve and this fill contains may boggy pockets, Yur petitioner is further concerned because differential subsidence to his zinc gutters of more than a few millimetres will require that his entire zinc pyramid roof needs to be replaced.

3.4. Regarding Jeffrey Travers allotment in Belsize Park

3.4.1. Your Petitioner is concerned because enjoyment of his allotment facing the Adelaide Vent Shaft will be adversely impacted because HS2 say that vehicle access will be also impossible during construction of the vent shaft.

3.4.2. Your Petitioner is also concerned that this enjoyment will also be adversely impacted because Jeffrey Travers keeps bees (one of whose main food sources is the arboreal ivy woodland most of which HS2 proposed to destroy).
4. Your petitioner requests the Select Committee make the promoter carry out the following in order to address his concerns listed within section 3 above

4.1. Regarding the Demolition of the Euston Design office at in Coburg Street (together with the demolition of other property to the west of Melton Street and Cardington Street and Hampstead Road)

4.1.1. Your petitioner requests that proper consideration is given by an independent authority to an alternative station design restricted to the footprint of the existing Euston Station and this needs to take place before Parliament makes a decision about the design of Euston Station.

4.1.2. Your petitioner would welcome the opportunity to provide the Select Committee with a detailed, low level, technical submission about the DDD3* design for such a proper consideration.

4.1.3. While this consideration takes place, your petitioner recommends and requests that the promoter’s designs are adjusted so high speed train services can also terminate at Old Oak Common instead of Euston during Phase A.

4.1.4. Your petitioner requests that the misleading information within and related to the AP3 SES produced by the promoter about the double deck down station and DDD, DDD2 and DDD2+ should be examined and set aside by the Select Committee. Your petitioner would welcome the opportunity to provide documentary evidence to convince your committee of the promoter’s failings with respect to publishing this misleading information and thereby convince your Select Committee that a double deck down station design for Euston has never been properly considered by the promoter and therefore the station selection process within the AP3 SES is faulty and needs to be readdressed.

4.1.5. Your Petitioner therefore requests that the HoL Select Committee recommend that DDD3* be properly and independently considered.

4.2. Regarding the blight and uncertainty as a result of the lack of an explicit proposal for a comprehensive integrated station

4.2.1. Your Petitioner notes that DDD3* provides a completely comprehensive integrated station (including a Crossrail ticket hall) in a compact design well within the footprint of the existing station in order to minimize transfer penalties (eg time to transfer from train to tube) and requests the committee insist that design of the station is as comprehensive and integrated as DDD3*.

4.2.2. Your Petitioner notes that DDD3* maintains the full taxi interchange within the station footprint at all times during construction. Your petitioner requests that the House of Lords insist that HS2 provide the same taxi provision in a location as convenient to all passengers as DDD3’s taxi provision (and not in their proposed location which is closer to Mornington Crescent than (for example) the Euston tube platforms).
4.2.3. Your Petitioner requests that the HoL Select Committee recommend that DDD3* be properly considered because it incorporates an enormous rail freight depot close to the station within its main construction compound and its spoil is half that of AP3 while its excavated volume is under two thirds of that needed for AP3. Its impact on the infrastructure in Park Village East is also much less.

4.2.4. Your Petitioner therefore requests that the HoL Select Committee recommend that DDD3* be properly and independently considered.

4.3. Regarding Jeffrey Travers’ home in Primrose Hill

4.3.1. Your Petitioner requests that the Select Committee direct HS2 to relocate the tunnels at least 10 metres east under the adjoining railway land, in order to put his rear extension roof out of risk.

4.3.2. Your petitioner requests that the Select Committee instigate proper consideration of the Euston Design DDD3* design as this will facilitate economical realignment of the tunnels.

4.4. Regarding Jeffrey Travers’ allotment in Belsize Park

4.4.1. Your petitioner requests that the Select Committee direct that the Adelaide vent shaft be moved to vicinity of HS2’s proposed compound at the Juniper Crescent NR depot. In order to facilitate this your Petitioner also requests that the House of Lords Select Committee instigate proper consideration of the Euston Design DDD3* design as this will enable economical realignment of the tunnels.
5. The prayer

The petitioners therefore ask 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.

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

JEFFREY TRAVERS

AND the petitioner remains etc.

Date: 17.4.2016
PETITION against the High Speed Rail (London – West Midlands) Bill

THE PETITION OF the Camden Association of Street Properties

Declares that:

1. The Petitioners are specially and directly adversely affected by the provisions of the whole Bill, but especially Compulsory acquisition of land, clauses 4-10, Extinction and exclusion of rights over land, clauses 12-19, Planning, clauses 20-22, Deregulation, clauses 25-36, Railway matters, clauses 38-43, Regeneration, reinstatement and environmental works, clauses 48-50, Further high speed rail works, clauses 52-54, Grants, clause 55, Deposited plans and sections, clauses 60-62, Miscellaneous, clause 62, Final, clause 68, schedule 1, scheduled works, regarding the London Borough of Camden, schedule 4, Table 1 relating to Part 2 of schedule, relating to the London Borough of Camden, Table 3, relating to the London Borough of Camden, schedule 5, Acquisition of land for particular purposes, relating to the London Borough of Camden, schedule 7, Acquisition of rights in land: Power to impose Restrictive Covenants, relating to the London Borough of Camden, schedule 8, Land in which only rights may be acquired compulsorily, regarding the London Borough of Camden, schedule 11, Restriction of power of compulsory acquisition to land under the surface, regarding the London Borough of Camden, schedule 12, Highways: Restrictions on powers to use subsoil and acquire land, regarding the London Borough of Camden, schedule 16, Part 4, Land which may be occupied and used for construction of works, regarding the London Borough of Camden, schedule 17, Conditions of deemed planning permission, schedule 18, Listed Buildings, Table 1, regarding the London Borough of Camden.

2. The Petitioners are therefore concerned regarding the proposed redevelopment of Euston Station and its environs, the route of the proposed railway through the London Borough of Camden, and in particular, the proposed route through Euston and Camden Town, Parkway and Chalk Farm until the border with Brent and its environmental effects and all related matters thereby.
Your Petitioners

3. Your Petitioners are a tenants and leaseholders organisation officially recognised by the London Borough of Camden set up to represent the interests of street property tenants and leaseholders of the London Borough of Camden since 2004; which represent their members within Camden, many of whom are directly affected by the proposals set out in the Bill.

4. Your Petitioners have a constitution approved of by the London Borough of Camden and a democratically elected committee elected at your Petitioners' Annual General Meeting, which meets once a month, usually in one of the Committee rooms at Camden Town Hall.

5. Your Petitioners have assisted many of its members in relation to issues around housing in street properties within the borough and have been involved in previous campaigns, and was also involved in lobbying Parliament during the passage of the Localism Bill, now the Localism Act 2012, in particular relating to the right of local authority tenants to take their cases in person to the Housing Ombudsman, in respect of which, Baroness Hanham in the House of Lords conceded that the government's original proposals for a filter via MPs, Councillors and Tenants Panels would not be implemented.

6. Much of your Petitioners' work as an Association has also focused on identifying specific issues affecting council owned street properties, including inadequate communication between tenants and leaseholders and different Camden Council departments, identifying ways to improve housing services for council tenants and leaseholders, tackling the some times very complex issue of noise nuisance, community safety issues, property repairs and major works, housing allocations, challenging Camden Council investment decisions affecting street properties, increased support for vulnerable tenants, as well as raising awareness of issues such as the very damaging effects of pollution on our members and their properties, and the advantages of promoting energy efficiency.
7. For many years, there was clear evidence that the majority of the properties your Petitioners represent, approximately 6,500 and scattered throughout the London Borough of Camden had been left out of important consultation exercises.

8. Following on this premise, it is natural to conclude that this may already have impacted on service delivery in a number of key areas to Camden Council street properties.

9. The threat of HS2 and the destruction it will cause to many established Camden communities will also increase those challenges already faced by many of our members and their properties.

10. Your Petitioners' Committee have at its Committee meeting held at Camden Town Hall on 29th February 2016, authorised Ms Petra Dando to act as its agent, and for the Petition to be drafted by Committee member Terence Ewing with input and suggestions by other committee members who form its HS2 Steering Committee.

Your Petitioners' concerns

Introductory

Standing of Petitioners

11. Your Petitioners are concerned at the limited test for standing for the lodging of Petitions opposing the proposals for both the Euston Station proposed redevelopment and the HS2 scheme in general.

12. The current Parliamentary Standing Orders of the House seem to *prima facie* have imposed an overtly limited and restrictive test that the Petitioner must be "directly affected" by either the proposals for both the Euston Station proposed redevelopment and the HS2 scheme in general.

13. However, this test may not be compliant with articles 2.5, 6 and 7 of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, (the Aarhus Convention) as incorporated into EU law under the now consolidated Directive 2011/92/EU as amended by Directive 2014/52/EU4.
14. For the definition of "The public", see article 2.4 of the Aarhus Convention, and "The public concerned", see article 2.5 of the Aarhus Convention and article 1(d) and (e) of Directive 2011/92/EU.

15. This test is applied further in articles 6 and 7 of the Aarhus Convention relating to the requirements for "Public participation in environmental decisions on specific activities" as set out in article 6.1-11, and/or also "Public participation concerning plans, programs and policies relating to the environment" as set out in article 7, and again made applicable to this Bill under articles 6.2-7 and 7 of Directive 2011/92/EU as applied by section 2(1) of the European Communities Act 1972.

16. Whilst your Petitioners accept that that the test of "directly affected" would satisfy the "public affected or likely to be affected" test in the first limb of article 2.5 of the Aarhus Convention, and article 1(d) and (e) of Directive 2011/92/EU, it would appear not to satisfy the test of "having an interest in, the environmental decision-making".

17. It is contended that this latter test enables both individuals and organisations that although may not be "directly affected" by an environmental decision, may have a more general interest in the "environmental decision-making" of public bodies.

18. Your Petitioners contend that they satisfy the definition of "The public" in article 2.4 of the Aarhus Convention and "The public concerned" in article 2.5 of the Aarhus Convention and article 1(d) and (e) of Directive 2011/92/EU, as "having an interest in, the environmental decision-making" relating to this Bill, being a borough wide tenants and residents organization, many of whose members will be "affected or likely to be affected" by the implementation of the HS2 proposals in this Bill relating to Euston Station and the surrounding Camden area.

19. "Public authority" is defined in article 2.2(a), (b) and (c) of the Aarhus Convention and article 1(f) of Directive 2011/92/EU, although referred to as the "competent authority that the Member State has "designated as responsible for performing the duties arising from this Directive.

20. Your Petitioners contend that this definition clearly would cover both Government at a national level under article 2.2(a) of the Aarhus Convention and the present
functions of this Honourable House under this Hybrid Bill when examining Petitions under article 2.2(b) and/or (c) of the Aarhus Convention and article 1(d) and (e) of Directive 2011/92/EU.

21. Your Petitioners submit that your Honourable House should therefore investigate whether the current standing test of “directly affected” needs to be amended and whether it currently would be compliant with the requirements of article 2.5 of the Aarhus Convention and article 1(e) of Directive 2011/92/EU in order to ascertain whether it has been Aarhus Convention compliant and also compliant with EU law, and if not how that may be remedied before your Honourable House.

**Conduct of the Petitions regarding HS2 in the House of Lords Select Committee**

22. Regarding pursuing objections to HS2, your Petitioners are mindful of mistakes and errors made during the passage of the Cross Rail Bill and wishes to see that all objectors are allowed to proceed with their Petitions and that none are withdrawn.

23. It may be that with the Cross Rail Bill, again a too narrow a test was imposed to allow Petitions to be heard, and your Petitioners therefore hope for the reasons already stated that this can be rectified.

24. For instance, during the progress of the Cross Rail Committee of your Honourable House hearing Petitions, it appears that one or two were withdrawn, for instance regarding Tottenham Court Road.

25. No explanation as to why this occurred has been given, but it is clear that legitimate objections to the demolition of the Astoria theatre and the adjoining terrace on the corner of Charing Cross Road and Tottenham Court Road weren’t fully explored.

26. Your Petitioners believe that this should have been thoroughly examined by your Honourable House to see whether those buildings could have been saved and incorporated into the designs for the new Tottenham Court Road station.

27. Similarly at Paddington Station, Grade I listed and designed by Isambard Kingdom Brunel, your Petitioners are concerned to see that the House of Commons Select
Committee didn’t appear to have explored other options rather than approve the new scheme being constructed next to Paddington Station at Eastbourne Terrace.

28. Your Petitioners are certainly supporters of the Cross Rail scheme that unlike HS2, will bring much needed social and economic and transport benefits to the capital, but feels that there are a number of issues such as Tottenham Court Road and Paddington that could have been handled more thoroughly and far better.

29. Your Petitioners are therefore keen to ensure that similar errors and mistakes don’t take place during the passage of the current Bill if the scheme is to proceed.

30. Concerns have also been raised by Peers during the 2nd Reading of the HS2 Bill in your Lordship’s House as to the manner that HS2 have been handling requests for information from objectors, along with the general lack of consultation with the community and certainly in the London Borough of Camden concerning the Euston Station development plans and the route and environmental protection measures to be implemented.

31. Your Petitioners therefore have grave concerns as to the lack of information and proper consultation emanating from High Speed 2 (HS2) Ltd. and would request that your Honourable House imposes clear duties on High Speed 2 (HS2) Ltd. to provide all relevant information to objectors and fully consult with the community regarding all aspects of its plans within the London Borough of Camden.

32. One of the peers also commented that it would be a great shame if the scheme was hurried at this moment with some make do solutions that only lead to remedial measures having to be taken within the coming years to rectify mistakes that could and should have been ironed out at the drawing board stage.

33. Lord Berkeley and other members of your Honourable House also supported these comments during the 2nd Reading debate.

34. These sentiments are echoed by both the London Borough of Camden in their Petition and other campaign groups within the borough, and your Petitioners therefore urge your Honourable House to ensure that there are sufficient measures in the Bill for provision of full information to be provided to the community regarding all aspects of
HS2’s proposals and that it interacts with the community in providing solutions to objections and provides requested information promptly.

35. Your Honourable House should also be aware that there are several matters pending before both the Information Commissioner and the 1st Tier Tribunal (Information Rights) regarding High Speed 2 (HS2) Ltd. and the Secretary of State’s refusal to provide access to relevant documents, including the Major Project Reports for 2012-2015.

36. In addition, peers also raised concerns during the 2nd Reading debate on 14th April 2016 regarding the handling of objectors and their concerns by the House of Commons Select Committee hearing the Petitions in that House.

37. Hopes were also expressed that your Honourable House would deal with objectors fairly and listen and take on board their environmental and other concerns and ensure that full responses and answers were forthcoming from High Speed 2 (HS2) Ltd.

38. Peers also expressed concerns that the House of Commons Select Committee were also tending to blindly accept everything that HS2 informed them and to rubber stamp their views, including Lord Berkeley and Lord Turnbull.

39. In particular, Lord Berkeley, supported by Baroness Randerson suggested that your Honourable House appoint a special technical adviser to the House of Lords Select Committee to advise on environmental and technical matters as a level playing field between High Speed 2 (HS2) Ltd. and objectors.

40. They also hoped that your Honourable House would conduct its Petitions hearing procedures far more professionally and adequately, and your Petitioners therefore hope that this will prove to be the case in accordance with the long and honourable traditions of your Honourable House in such matters.

**General opposition regarding HS2 and plans for the London Borough of Camden**

41. Your Petitioners as a local tenants and leaseholder organization within the London Borough of Camden is strongly opposed to the decision to construct the HS2 railway line with a terminus station at Euston because of the devastating impact the
construction and operation of the line will bring to parts of the borough, which no amount of mitigation or compensation can address.

42. Across the borough, the proposals will include demolition of 223 homes (including 136 units of social housing in the Euston area), and over 62 businesses will be forced to close or relocate due to demolition with 242 businesses located within the safeguarded area and many hundreds of additional homes and businesses put at risk due to their proximity to the proposed line, a negative impact on local schools, the loss of open spaces and community facilities, and demolition of listed buildings.

43. Your Petitioners are therefore lodging objections in respect of all aspects of the implementation of this Bill and the proposals for the proposed redevelopment of Euston Station and the HS2 scheme generally.

44. In addition to the impact around Euston, tunnelling is also proposed to go through parts of the borough and as a result two ventilation shafts would need to be built within the borough at Alexandra Place and Adelaide Road, in respect of which your Petitioners object in its entirety.

45. Your Petitioners like other campaign groups, believe the London Borough of Camden and its environment will be unnecessarily injuriously affected by the proposed plans for Euston Station and generally in the borough, unless measures are implemented in an attempt to mitigate the impact of the proposed works, and the plans are substantially amended accordingly, in particular to permit community involvement with full consultation accordingly.

The proposed plans for Euston Station

46. Your Petitioners fully concur with all of the submissions made by other campaign groups regarding the temporary citing of the West Coast mainline terminus at Old Oak Common in order to enable effective consultation to take place regarding the future plans for Euston Station.

47. Your Petitioners object to the implementation of the current plans to extend the station *environ* to include the 13 additional platforms over and beyond Melton Street, with the loss of St James’s Gardens and the loss of homes including several listed
buildings such as 14-15 Melton Street, the removal of railings and Grade II listed structures in St. James's Gardens and other structures and monuments in Euston Square Gardens, although relocated, and the unlisted underground station in Melton Street and other surrounding buildings.

48. Your Petitioners contend that the case hasn’t been made out for the rebuilding of Euston Station over the current footprint, and that all other options have not been adequately or sufficiently explored.

49. Your Petitioners are concerned that before the House of Commons Select Committee, its members appeared for the most part not to have explored other options an blindly accepted and thereby rubber stamped all of High Speed 2 (HS2) Ltd.’s explanations for the necessity of extending the footprint of Euston Station, notwithstanding the issues and arguments raised by other campaign groups.

50. Your Petitioners also contend that the case for 13 additional platforms hasn’t been made out, and High Speed 2 (HS2) Ltd. has given no satisfactory explanation for requiring this number of platforms or extending the station footprint.

51. It appears from the vague plans that have so far been put forward by High Speed 2 (HS2) Ltd., without proper consultation and the involvement of the community in the London Borough of Camden, that the majority of additional space is for offices and shops, and it would appear that the extension over and beyond Melton Street is purely for the building of a glorified shopping mall.

52. This appears to be at the expense of the local community and is being built purely for profit and is totally unacceptable.

53. Your Petitioners also fully concur with other campaigning groups regarding the complete lack of consultation with the local community as to the viability of the proposed redevelopment of Euston Station, and the complete lack of opportunity for input by the local community regarding the proposed redevelopment.

54. This may by itself be a serious breach of article 5 of the Aarhus Convention regarding the “collection and dissemination of environmental information, and/or also involvement of the general public concerning matters affecting the environment in
breach of article 6 and annex 1 paragraph 20 of the Aarhus Convention, being a matter requiring an environmental assessment, and/or further article 7 of the Aarhus Convention relating to “public participation concerning plans, programmes and policies relating to the environment”.

55. Your Petitioners also refer your Honourable House to the provisions of articles 6.2-7 and 7 of Directive 2011/92/EU as applied by section 2(1) of the European Communities Act 1972.

56. Your Petitioners therefore request your Honourable House to enact measures in the Bill to ensure proper consultation by High Speed 2 (HS2) Ltd. with the local community and also to provide full details of all of their proposals and to engage with the community throughout the whole planning process accordingly.

57. Your Petitioners also object the piecemeal development of Euston Station being currently proposed, and would contend that either the station is totally redeveloped or it isn’t.

58. The opportunity to create a landmark building and terminus worthy of the HS2 scheme and the capital city of the UK is being squandered on make do and mend principles, and appears to be cost cutting solutions at every juncture.

59. Your Petitioners submit that there are other options available to utilise the present footprint of Euston Station, by either building the new platforms underground, where there is already a large car park, or extending it further to the present bus terminus and concourse.

60. Equally, there would appear to be large spaces between the current platforms that in a number of cases are extremely wide, and there is space to construct additional platforms within the confines of the current station by reducing the width of the platforms, particularly on the Melton Street side and also the Eversholt Street side as well.

61. Additionally, there are large unused spaced above the current platforms and also the present inside entrance concourse that could be used for additional platforms, or the building of additional office and commercial and office space if so required.
62. There has also been very little information regarding all of these options so far published by High Speed 2 (HS2) Ltd. who have veiled themselves in an unnecessary cloak of secrecy regarding the justification for their current misconceived proposals.

63. Your Petitioners submit that the proposed outline design for the new Euston station are uninspired and of poor quality design, consisting of an airport style façade of supermarket genre, with unrelated shoebox style additions on either side.

64. In particular, in an attempt to sex up the proposed design, the designers have incorporated an uninspired conch style shell roof that bears no relationship whatsoever to the remainder of the composition.

65. The opportunity to incorporate a design of the highest quality by a leading architect in conjunction with the local community has been completely lost with the present make shift plans.

66. In other locations, such as Birmingham New Street, and the new Reading Station, the opportunity has been take to create landmark station buildings of high quality, and in the case of Reading Station to incorporate the original heritage 1860’s station building into the new design.

67. It is also to be noted that the existing footprints of those stations were utilised without the necessity to extend the area of the stations unnecessarily, as with the present scheme.

68. Another example has been the Berlin Hauptbahnhof, where a modern station has been created of the highest architectural style and quality worthy of a leading European capital city, consisting of multi floored platforms and other stylish innovations.

69. The present proposals may also lead to the loss of the National Temperance Hospital building that could be utilised and converted in its present state without unnecessary demolition at all if required for office and administration facilities.

70. However, it doesn't appear to be listed in the buildings scheduled for demolition in the current Bill, and your Honourable House is requested to seek clarification regarding the plans for that building.
71. The community are as a result understandably angry and outraged at the present lacklustre and uninspired proposals and the resultant missed opportunity for a scheme of the highest quality worthy of our capital city.

72. In the premises, London deserves better than this, as does the scheme itself, and your Petitioners therefore invite your Honourable House to completely reject the proposed plans for Euston Station and environs as proposed in the current Bill in its present form.

**The proposed route and plans for the line through the London Borough of Camden**

73. Your Petitioners object to the current proposed route of the line through Camden Town, Parkway and Chalk Farm.

74. Your Petitioners again contend that the case hasn’t been made out for the present plans for the line through the London Borough of Camden, and that all other options have not been adequately or sufficiently explored.

75. Your Petitioners are again concerned that before the House of Commons Select Committee, its members appeared for the most part not to have explored other options and blindly accepted and thereby rubber stamped all of High Speed 2 (HS2) Ltd.’s explanations for the necessity of extending the footprint of Euston Station, notwithstanding the issues and arguments raised by other campaign groups.

76. Your Petitioners fully concur with the views expressed by Lord Berkeley both during the debate during the Bill’s 2\(^{nd}\) Reading on 14\(^{th}\) April 2016 and his expressed views generally regarding the complete failure of High Speed 2 (HS2) Ltd. to explore and adequately consider alternative solutions and routes.

77. Your Petitioners further fully support the proposed alternative tunnel route proposed by Lord Berkeley and would argue that this provides a solution which avoids all of the proposed environmental damage within the London Borough of Camden.

78. Your Petitioners draw your Honourable House’s attention to the solutions reached regarding HSI and the tunnel from Kings’ Cross to Ebbsfleet with the majority of the
line tunnelled under east London, and therefore avoiding the mass demolitions and above ground engineering works that would have been necessary otherwise.

79. In addition, the final adoption of the east London route also avoided the environmental damage and demolition of homes that would have been necessary had the route adopted the south easterly route via Peckham and its environs to the former Waterloo terminus that was originally proposed by the promoters of that particular scheme.

80. Your Petitioners lament the complete lack of vision from the current Secretary of State regarding the proposed present route, and the fact that he appears to have allowed High Speed 2 (HS2) Ltd. carte blanche to carry out whatever scheme they want, unlike the former Secretary of State at the time of HS1, the Rt. Honourable Michael Heseltine as he then was.

81. In addition, your Petitioners would urge your Honourable House to take on board all of the views and evidence of other campaigners, including the Cutting Group relating to the unnecessary demolition of the Camden Town Cutting and related structures, and the environmental damage that will be caused to the surrounding community along the route, including the residents of Harrington Square who will suffer years of inconvenience from lorries removing spoils from the proposed works and also Parkway and its environs.

82. Your Petitioners would urge your Honourable House to request High Speed 2 (HS2) Ltd. to consider other alternative schemes, even if the Lord Berkeley scheme may eventually prove to be unviable, although your Petitioners fully support its alternative suggestions.

83. Your Petitioners consider that underground tunnelling could be effected outside Euston Station to carry the line to the Brent border and possibly beyond, under the route of the existing line.

84. Alternatively your Petitioners consider that other options for tunnelling to the side of the existing line in the cutting leading to Parkway could also be considered as an option.
85. Your Petitioners would also draw to your Honourable House the long cutting wall on the Euston side of the Mornington Street railway bridge and immediately afterwards, which would give ample opportunity of constructing a tunnel entrance to take the proposed line underground at that stage, rather than leaving it until Parkway tunnel as presently proposed.

86. Your Petitioners also draw to your Honourable House the current engineering expertise that is available to construct tunnels that have been demonstrated with the Channel Tunnel itself and HS2 1, and which is also being applied so well with the construction of Cross Rail.

87. Therefore, your Petitioners would submit that HS2's arguments that more extensive tunnelling isn't possible or practicable isn't correct, and indeed if it were adopted would be far more convenient and efficient than the current above ground proposals.

88. Additionally, your Petitioners consider that other options may be viable including using the current existing track area to run the new tracks, which will only be two sets of tracks along that route, as is currently the case with HS1.

89. It is also to be noted that the current route of the West Coast Mainline from Euston to Parkway tunnel is fairly straight and would lend itself to having fast running tracks replacing some existing ones very easily, although possibly at the expense of local services, although these could still run on the remaining existing lines.

90. In the event that the present scheme is approved by your Honourable House, your Petitioners would further seek guarantees from High Speed 2 (HS2) Ltd. regarding environmental protection for the residents of Harrington Square and its proposed use for the removal of waste and spoils during the long construction phase of the scheme.

91. Your Petitioners also have concerns regarding the current proposed sites of the ventilation shafts at Adelaide Nature Reserve, causing further environmental damage, along with Alexandra Place and would urge that further environmental protection measures be incorporated into the Bill in the event that the present proposed route is constructed.
High Speed 2 (HS2) Ltd.’s Environmental Statements

92. Your Petitioners have serious concerns regarding the adequacy of High Speed 2 (HS2) Ltd.’s Environmental Statements, which your Petitioners consider to be inadequate.

93. Your Petitioners therefore request that for the purpose of the proceedings in your Honourable House, an independent technical adviser is appointed to deal with the engineering and environmental issues that arise regarding both the redevelopment of Euston Station and the proposed route through the London Borough of Camden.

94. This would ensure a level playing field between High Speed 2 (HS2) Ltd. and the various campaign groups and individual objectors, not only within the borough, but also throughout the length of the proposed route to Birmingham.

95. Your Petitioners would also urge that an updated Environmental Statement, as an Environmental Impact Assessment is referred to in the Bill, be directed that fully accords with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and articles 2-5 of Directive 2011/92/EU.

96. Your Petitioners contend that the present Environmental Statements are vague and inadequate and don’t adequately address all of the environmental issues concerned with the proposed redevelopment of Euston Station or the route of the line within the London Borough of Camden.

97. Your Petitioners also object to the disabling of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 regarding 22 Melton Street and 40 Melton Street in the London Borough of Camden in clause 62(2)(a)(b) of the Bill, as no adequate evidence has so far been provided for such an exemption.

98. In any event, these issues are related to the proposed extension of Euston Station beyond the present footprint, and your Petitioners contend that all parts of this proposed scheme should be the subject of any revised Environmental Statement.

99. In any event, your Petitioners would contend that it is unlawful to seek to disable any application of the Town and Country Planning (Environmental Impact Assessment)
Regulations 2011 and articles 2-5 of Directive 2011/92/EU, as these provisions being mandatory EU law cannot be disabled.

100. Whether an Environmental Impact Statement is required for any particular part of the project is entirely a matter for individual assessment, but cannot in your Petitioner's submission be completely disabled.

Heritage preservation issues regarding the proposed outline design of the new Euston Station and route of the proposed new line through the London Borough of Camden

101. Your Petitioners have serious concerns regarding the proposed demolition and alteration of a number of heritage assets near the environs of the proposed development, including some listed structures.

102. As with the previous scheme, it is proposed that a number of heritage assets would be demolished, including and 1 Melton Street.

103. In particular, your Petitioners object to the removal and/or demolition of the following:

(a) St. James Gardens: An important green open space of heritage value (on the draft Local List). The gardens are on the site of the 18th and 19th St James Burial Ground and former St James Chapel, contain three Grade II listed monuments and may contain over 50,000 burials. The heritage assets that will be removed here should be stored in a secure, dry environment in or near the borough and reinstated like-for-like within the remaining portion of St James Gardens once construction is completed or, if that is not achievable, in an appropriate location to be agreed with Camden Council;

(b) Total demolition of two Grade II listed buildings at 14-15 Melton Street; 1-3 Cobourg Street (on draft Local List) and a number of other properties on Camden Council’s Petition draft local list, including the National Temperance Hospital, and the piers of Mornington Street Bridge (grade II listed);

(c) Alterations to Euston Square Gardens protected under the London Squares Preservation Act, 1931, which also contains Grade II listed structures being boundary railings and the war memorial.
(d) Other large number of heritage assets in the Borough that may also be indirectly
affected by the construction of the works under the Bill. For example Park
Village East contains 17 grade II* listed buildings which may be impacted by
construction activities associated with the demolition of the Park Village East
railway retaining wall, the associated underpinning works and the retaining wall
replacement works. The ES contained no assessment in relation to these listed
buildings.

104. Your Petitioners consider that this is both short sighted and without justification and
fails to satisfy the current tests for demolition under national planning law and
policies.

105. In particular, your Petitioners are concerned that no evidence or justification has been
given to your Honourable House as to the reasons for these demolitions or that they
are absolutely necessary for the scheme to proceed without them.

106. It would seem therefore that the mistakes connected with the original demolition of
the Euston Arch and Euston Station in the early 1960’s are again being perpetrated in
the context of the present proposed scheme, without any consultation or lawful
justification.

107. In particular, the Grade II listed buildings at 14-15 Melton Street would be a major
loss of a heritage asset, as part of the original buildings that were in situ before the
demolition of Euston Station in the early 1960’s.

108. In addition, no justification appears to be given for the demolition of the road bridges
to the north of the present station, as this cannot have any bearing on the rebuilding of
the station itself and appears to be totally unnecessary for the carrying out of the
proposed scheme.

109. In addition, the loss of St. James Gardens is to be regretted and is also avoidable, as
the scheme for these additional platforms seems ill conceived and totally unnecessary.

110. Likewise the deprivation of the use of Euston Square Gardens for the duration of the
building works associated with the scheme have been ill thought out and unjustified.
111. In addition, further damage to the cutting and tunnel entrances appears to be proposed, which again appear unnecessary and unjustified.

112. Your Petitioners would urge that your Honourable House require the developers to provide concrete and un-rebuttable evidence that the damage to heritage assets and the total demolition of heritage assets where proposed cannot be avoided and is absolutely necessary which is required under the current National Planning Policy Framework “Conserving and enhancing the historic environment” at paragraphs 126-141 to justify demolition.

113. In addition, your Petitioners would urge that in the event of demolitions having to proceed of listed buildings and structures, that they are all relocated and rebuilt elsewhere, as occurred where possible along the line of HS1.

114. Your Petitioners don’t accept the arguments put forward by High Speed 2 (HS2) Ltd. that such relocation and rebuilding wouldn’t be possible or feasible.

115. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Provisions to the Bill are substantially revised and amended, so far affecting your Petitioners, should not be allowed to pass into law.

**Subsequent legal challenges**

116. Your Petitioners are concerned regarding the possible effect of article 9 of the Bill of Rights 1689 on any possible legal challenges that might be mounted to the passing of the Bill.

117. This raises an important issue as to whether that was in conflict with the “access to justice” provisions of article 9.1-5 of the Aarhus Convention as also incorporated into EU law under article 11 of Directive 2011/92/EU.

118. If the matter were taken before the Planning Court of the Administrative Court, an issue would therefore arise as to whether article 11 of Directive 2011/92/EU would override article 9 of the Bill of Rights 1689 under section 2(1) of the European Communities Act 1972, as applied in R. Secretary of State for Transport ex p. Factortame Ltd. and ors. (No. 2) [1991] 1 A.C. 603.
119. In the event of any doubts about the matter, the Planning Court of the Administrative Court might have to refer the matter to the Court of Justice of the European Union at Luxembourg under article 267 of the Treaty on the Functioning of the European Union and CPR Part 68.2(a)(b) for a preliminary ruling on interpretation.

120. Your Petitioners would therefore request that your Honourable House recommend that provisions be made in the Bill to dis-apply article 9 of the Bill of Rights 1689 to any future court challenges in order that it may be fully compliant with article 9.1-5 of the Aarhus Convention and article 11 of Directive 2011/92/EU.

121. This would seem proportionate, in view of the extensive disabling of the requirements for Listed Building Consent and planning permissions throughout the Bill as a whole.

General

122. There are other clauses and provisions in the Bill, which, if passed into law as they now stand, will prejudicially affect the rights and interests of the Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

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 YOUR PETITIONERS remain, etc.

Signed

Ms Petra Dando
Committee member and Agent for
Camden Association of Street Properties

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

PETITION against the

High Speed Rail (London-West Midlands) Bill

THE PETITION OF Residents of Borrowdale, Robert Street

Declares that:

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

2. Your petitioners are residents of Borrowdale, Robert Street, a Local Authority-owned block of flats which is located close to the proposed Main Construction Site on a residential street which is required for utility works and which will be heavily used by construction and other traffic during the construction of the scheme (a period of 18+ years).

   i. Name: GEORGIA RAEVES-SAMOA

   ii. Name: JAMAAL SAMAD

   iii. Name: NAJINNA KNOWA

   iv. Name: WILLIAM DOSSETT

   v. Name: SADHU DULL

   vi. Name: ELISANNA TAKAKI

   vii. Name: CAROL CHANDRASAKERA

   viii. Name: Danielle REES

   ix. Name: Tobi GOODMAN

   x. Name: Lewis BAXTER

   xi. Name: LISA (ELIZABETH) RANEY

   xii. Name: JONATHAN ZOKAI

   xiii. Name: ................................

   xiv. Name: ................................
3. Your petitioners' concerns:

3.1 Utilities works which would involve digging up Robert Street to install a 42 inch water main and divert existing utilities
3.2 The demolition of the National Temperance Hospital and establishment of a Main Construction Compound opposite the entrance to Robert Street
3.3 The use of Robert Street as a major route for construction traffic and diverted traffic over a period of ten years (2017-2026)
3.4 The use of Robert Street as a taxi route for a period of eight years (2026-2033)
3.5 The creation of a new signalled junction with Hampstead Road and an extended Cobourg Street
3.6 Increased traffic in Robert Street, create noise, dust and air pollution, and put at risk the mature trees which line the Street.
3.7 Works in and around Robert Street create an increased risk of accidents at local road junctions, and that congestion caused by the works would mean delays in attendance by emergency services
3.8 Impacts on bus services along Hampstead Road, which would make it difficult for your petitioners to access shops, hospitals and other services in Camden Town and beyond
3.9 There is no adequate mitigation and/or compensation offered for the serious adverse effects of these works over a very long timespan
3.10 No coherent and joined-up plan for Euston Station.

Your petitioners request that

(a) the construction timetable be rethought to minimise adverse effects on residents, and to minimise the length of time during which these will be experienced;
(b) that spoil and supplies be delivered and removed by rail, not road;
(c) that any residual spoil/supplies that cannot be moved by rail should be restricted to the national road network and avoid residential streets such as Robert Street;
(d) that Borrowdale be assessed for noise and pollution mitigation;
(e) that there be independent live and transparent air quality monitoring in Robert Street with immediate action, including the immediate cessation of work, should legal limits be breached
(f) that street trees be safeguarded
(g) that traffic management measures, including financial penalties, be put in place to prevent HGVs, taxis and other traffic from using Robert Street as a short cut or taxi feeder or dispersal route or as a rat run
(h) that a detailed habitability assessment is undertaken to fully understand the combined and/or cumulative effect of the various impacts on flats within Borrowdale
(i) that no works begin in the Euston area until satisfactory plans, including mitigation and fair compensation, are in place to avoid these adverse impacts
(j) an independent cost-benefit analysis is carried out of HS2's scheme and of the various alternatives to it
(k) Euston station should be designed together with local transport infrastructure, including the proposed Crossrail 2 station, thereby minimising demolition and disruption.
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.

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To the House of Lords  
Session 2015–16

PETITION against the  

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Conserve the Chilterns and Countryside

Declares that:

1 The petitioner is specially and directly adversely affected by Schedule 1: Scheduled Works 2/12 to 2/34 of the Bill.

2 Your petitioner

The petitioner is Conserve the Chilterns and Countryside (known as "CCC"), a not-for-profit organisation established (as a company limited by guarantee) in 2010 which represents a group of residents from the Chilterns area. Your Petitioner's aim is to promote and protect the Chilterns Hills and countryside, and in particular the area of outstanding beauty around, and between, Amersham, Chesham and Wendover. Your Petitioner and its rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

3 Your petitioner's concerns

3.1 The Bill would authorise the construction of HS2 through the Chilterns and your Petitioner objects to the part of the proposals set out below.

3.2 Objection is taken to the works proposed to be undertaken between Amersham and Wendover. These works include the building of the railway line, the construction of tunnels, cutting, viaducts and access roads, the diversion of existing roads, the removal of woodland and the demolition of listed buildings.

3.3 The Chilterns are designated as an Area of Outstanding Natural Beauty ("AONB") and include a wide range of ancient woodland sites (some of which are over 400 years old), ancient monuments and diverse wildlife. The Chilterns is the only AONB along the proposed route of HS2. The route as set out in the Bill passes through the widest part of the Chilterns including some of the most remote and unspoilt parts of the area.

3.4 AONBs are areas of high scenic quality which are protected by statute in order to conserve, and enhance, the natural beauty of their landscape. AONBs are designated under the National Parks and Access to the Countryside Act 1949 and are protected under this legislation as well as the Countryside and Rights of Way Act 2000 (the "CROW Act"). In particular, Section 85 CROW Act provides that:

General duty of public bodies etc.

(a) 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 shall have regard to the purpose of conserving and engaging the natural beauty of the area of outstanding natural beauty.

(b) The following are relevant authorities for the purposes of this section – any Minister of the Crown,
any public body.

any statutory undertaker,

any person holding public office.

The AONB is also protected under the National Planning Policy Framework and the European Landscape Convention.

3.5 Your Petitioner is particularly concerned about the following effects of the Bill on the Chilterns:

Landscape

3.6 The Chilterns AONB is a beautiful natural area with many important local features including chalk escarpments, woodlands, valleys, chalk streams and traditional villages. The Bill, as a result of the surface works and green tunnels, would result in significant damage to this landscape and irrevocably change the nature of many areas. The promoter proposes tree planting and the creation of earth bunds to mitigate the visual effect of HS2 but these will take a significant period of time to fully mature and will also create visual barriers to the landscape therefore changing the nature of the landscape in their own way.

Ecology

3.7 The Chilterns AONB contains a wide variety of animal and plant species including a number of ancient woodland sites. Farming also has a significant presence on the AONB with over 80 square miles of arable land and over 85,000 livestock present within its boundaries. The proposals set out in the Bill would result in the loss of a number of ancient woodland sites. These areas of woodland include Ash Grove (South), Mantle’s Wood and Lott’s and Keeper’s Wood.

3.8 A number of hedgerows which dated from before 1870 (and therefore are protected under the Hedgerow Regulations) will also be lost. There is no mitigation which would adequately compensate for these losses.

3.9 Your Petitioner is also concerned about the effect of the Bill on biodiversity and particularly the effects of the proposed railway on the severance of the green belt and on habitats. These effects will be exacerbated as the railway line will be fenced and kept clear of vegetation, restricting the free movement of reptiles and mammals.

Noise

3.10 Your Petitioner is concerned about the impacts of the Bill in respect of noise of both the railway once operational, and during the construction process, (which is scheduled to last for many years). Once HS2 is operational, a significant number of homes will experience noticeable noise increases, despite the proposed mitigation set out in the Bill. Further, a large number of areas which are currently used by recreational users for the quiet enjoyment of the countryside will be subject to significant noise issues.

3.11 Further, many areas of the AONB will be significantly affected by noise from construction works including, but not limited to, the construction itself, traffic movements and the operation of the construction compounds. Your Petitioner is concerned that it does not appear that maximum noise thresholds have been set or specific noise impacts properly considered.

Vibration

3.12 Your Petitioner is concerned about the effects of vibration from the operation of HS2 as well as from construction traffic and the effect that this will have on your Petitioner’s
members' properties and on their quality of life.

Community severance and access

3.13 The Chilterns is a rural area dominated by agricultural activity with scattered and distinct villages and larger towns forming local centres. The connectivity between the villages and towns via country lanes, footpaths and bridleways forms a key part of the fabric of the area. Severance of landholdings and of footpaths as proposed by the Bill (for example at Shardeloes Park) will result in a loss of amenity, and in some cases disruption to commercial activity, as well as disruption to important and well used linkages between different communities.

3.14 In particular, the Bill is unclear in relation to severance of footpaths and the mitigation proposed in respect of these. Your Petitioner also notes that the Chilterns, as a large open space close to London, is widely used for recreation (and is in fact one of the most visited areas in the UK). Activities carried out in the AONB include walking, cycling and horseriding and any loss to footpaths and bridleways will have significant effects on these and other recreational uses. This will have a significant effect on the local economy, which currently is estimated to receive £271.6 million annually as a result of tourism to the AONB.

Agriculture and Soil

3.15 The Bill proposes that the HS2 line will run through Grade 2 listed farm land. Your Petitioner is particularly concerned, not just with the loss of this farmland, but also with the proposed severance of a number of fields and farms which may leave parcels of land which are not large enough to farm, are overshadowed by the works or have degraded soils as a result of the Associated Works. Further, segregation of farmland can lead to losses in farm efficiencies. In certain locations access across the railway for farmers to their own fields will be restricted to specific roads or footpaths and may increase travel distance for farmers to access fields on either side of HS2 where they fall within the curtilage of a single farm operation.

Construction traffic

3.16 Your Petitioner is concerned about the effect that construction traffic will have on the AONB and on CCC's members. Your Petitioner's members drive across the AONB (and across the proposed line) on a daily basis to get to work, schools and shops. Any congestion, and road closures that arise as a result of the Bill, will therefore have a significant effect on your Petitioner's members.

Waste and construction

3.17 The works proposed by the Bill will require the removal and movement of large amounts of soil, particularly topsoil which will all be required to be moved elsewhere or reinstated. The removal and transport of this soil and other waste materials, along the whole length of the AONB, will require the movement of a significant number of heavy goods vehicles and earthmoving equipment. Your Petitioner understands that such vehicles will be using the existing road network. The removal of soils from the route, and its reinstatement in proximity to the route, will change the nature and shape of parts of the Chilterns AONB permanently as well as resulting in alterations to the natural geology of the landscape.

3.18 Your Petitioner is also concerned about the working hours which are set out in the draft Code of Construction Practice. These provide HS2 with a wide discretion as to when work can be carried out. A number of your Petitioner's members live very close to construction sites and to routes which construction traffic will be using. Any construction taking place at unsociable hours will have a significant effect on those
individuals and their families.

3.19 Your Petitioner also seeks specific provisions in the Bill to ensure timely and adequate restoration of land that has been used for construction purposes.

Culture and heritage

3.20 The Chilterns AONB contains a number of areas, features and buildings of importance to the cultural heritage of the area. These include a number of Grade 1 and 2 listed buildings as well as the Grim's Ditch Scheduled Ancient Monument, part of a series of Iron Age ditch earthworks which stretch across the chalk uplands of Southern England. The route, as proposed by the Bill, runs through Shadloes Grade 2 Registered Park and Garden which is an Archaeological Notification Area. Shadloes House is a Grade 1 listed building. The route will also require the demolition of Grade 2 listed buildings at Hyde Farm/Chapel Farm and will remove some 23 metres of the Grim's Ditch Scheduled Monument. Your Petitioner states that these aspects of the cultural heritage of the Chilterns have been protected by statute and are irreplaceable: no level of mitigation will be satisfactory should the works remain as currently proposed.

Spoil

3.21 Your Petitioner also understands from the technical summary of the environmental statement accompanying the Bill that spoil will be imported to the Chilterns AONB from other areas along the line. This will increase the amount of waste to be disposed of on the AONB and will therefore exacerbate the already significant impacts of the removal, transport and re-distribution of soils from the works proposed in the AONB.

3.22 Your Petitioner is also concerned about the amount of spoil which is due to be deposited at Hunts Green and in particular the effect that a spoil heap of this size would have on the landscape of the AONB.

Balancing ponds and effects on aquifers

3.23 Your Petitioner is concerned about the effect of the proposed balancing ponds on the AONB as these non-natural ponds will obviously have an effect on land drainage and flooding risks. Further, your Petitioner is concerned about the effects of the proposed works on the aquifers under the AONB, the chalk streams that cross the AONB and the subsequent effect on drinking water quality.

Mitigation

3.24 Your Petitioner argues that the only acceptable form of mitigation to the issues outlined above is a continuous tunnel under the Chilterns AONB. Your Petitioner sets out the benefits that a continuous tunnel would have:

Landscape

3.25 A continuous tunnel would prevent any visual effects or damage to the landscape of the AONB. Any effects caused by the discrete ventilation shafts could be limited through careful site selection.

Ecology

3.26 Provision of a tunnel where green bridges and surface routes are proposed would mitigate adverse effects on ecological features and the green belt and would avoid severing of natural corridors.

Cultural heritage

3.27 A continuous tunnel would effectively mitigate any effects of the surface works
proposed by the Bill on the cultural heritage of the Chilterns. In particular, a tunnel would avoid the demolition of any listed buildings and would preserve Grim's Ditch. Further, the character of other local protected buildings and special areas will remain unaffected by HS2. Ventilation shafts could be carefully located to avoid any harm to the cultural heritage present in the AONB.

**Noise**

3.28 The continuous tunnel alternative would avoid any surface borne noise along the route, apart from at ventilation shafts where it could be mitigated by careful site selection and mitigation. Further, construction noise would be avoided.

**Vibration**

3.29 A continuous tunnel would significantly reduce any effects of vibration during the operational phase of HS2 and would also remove much of the vibration caused by construction traffic throughout the AONB.

**Community severance and access**

3.30 A continuous tunnel would effectively remove any surface disruption and allow access route and current landscapes and land parcels to remain as they currently are.

**Agriculture and soil**

3.31 A continuous tunnel would avoid any loss of agricultural soils and any possible severance issues for local farmers.

**Construction traffic**

3.32 A continuous tunnel would significantly reduce the amount of construction traffic throughout the AONB as such traffic would be substantially concentrated around the entrance and the exit of the tunnel.

**Waste and construction**

3.33 Although the continuous tunnel option will generate a significant amount of waste, this is estimated to be less than the current route proposed. Further, the removal and transportation of waste will take place from two distinct locations (at the ends of the tunnel) limiting the impacts of these works and allowing for more focused mitigation and control.

**Balancing ponds and aquifers**

3.34 A continuous tunnel would remove the need for balancing ponds throughout the AONB, would not affect surface hydrology and would pass below the principal aquifers.

3.35 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 as 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 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.

3.36 In the absence of a continuous tunnel your Petitioner concludes that the harmful
effects of the works outlined in paragraphs 3.6 to 3.23 above cannot adequately be mitigated. Your Petitioner requests that there be independently assessed binding mitigation and monitoring measures in place as proposed in the House of Commons Environmental Committee's 7 April 2014 report entitled “HS2 and the Environment thirteenth Report of Session 2013-2014”. The following mitigation would be required as an absolute minimum:

(a) That HS2 Ltd be required to produce noise thresholds which reflect international guidelines, that they set reasonable noise limits for construction and the operation of the railway which can be effectively monitored and enforced.

(b) That there be binding mitigation measures in respect of vibration from the construction and operation of HS2.

(c) That construction under the Bill be limited to reasonable core hours and that no derogation from these hours be permitted unless by agreement with the relevant local planning authority.

(d) That landscape works, and in particular tree planting, be carried out before the commencement of construction works so as to provide effective screening of such works.

(e) That alternative sustainable urban drainage systems be investigated which reduce or remove any effects arising from the balancing ponds.

(f) That any negative effects on aquifers or on drinking water be fully mitigated and monitored.

(g) That the proposed spoil dump at Hunts Green be removed from the Bill and that a more sustainable waste disposal option be implemented.

(h) That land used for construction be restored to an acceptable standard given its location in an AONB and that such land, if it remains in the promoter's ownership, is properly maintained.

3.37 For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, Schedule 1: Scheduled Works 2/12 to 2/34, so far affecting your Petitioner, should not be allowed to pass into law.

3.38 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and its 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 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.

Simon Ricketts
King & Wood Mallesons, Agent for the petitioners
April 2016
IN PARLIAMENT
THE HOUSE OF LORDS
SESSION 2015–16

PETITION against the

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – Praying to be heard by Counsel, &c.

THE HUMBLE PETITION of SAM PRICE

YOUR PETITIONER DECLARES that:

1. A Bill (hereinafter referred to as "the Bill") has been introduced and is now pending in your noble House intituled "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. Your Petitioner is specially and directly adversely affected by the whole Bill, but in particular to clauses relating to the Old Oak-Euston section in terms of geography, and of any clauses which also imply environmental impacts in the Camden Junction-Euston sector or seek (inadequately in your Petitioner's view) to mitigate such impacts.

YOUR PETITIONER

3. Your Petitioner is Sam Price MA FREng FICE F(StructE) Hon FRIBA of 10 Gloucester Crescent, London NW1 7DS. Your Petitioner's occupation is now a consultant at Price and Myers, a firm of consulting structural engineers which he established in 1978 after having worked for 18 years at Ove Arup and Partners and Arup Associates. Your Petitioner has taught regularly at Cambridge University and the Architectural Association.
4. Your Petitioner alleges that he and his property, rights and interests in the area would be injuriously and prejudicially affected by the provisions of the Bill if passed into law in their present form and he accordingly objects to the Bill including to the clauses mentioned above, for the reasons, amongst others, hereinafter appearing.

YOUR PETITIONER'S CONCERNS

5. The route of the proposed railway is partially underground and then emerging in an enlarged railway cutting south of your Petitioner's property. The provisions of the Bill would also expand the corridor of the existing West Coast Main line in the same vicinity, in order to accommodate the new railway works, deviations, construction arrangements and eventually operations, for the railway mentioned in paragraph 1 above. Alterations are proposed also to the West Coast Main Line in the same area. These works are all a consequence of the proposed route and design of the intended railway, in its approaches to its proposed Central London terminus at Euston.

6. Your Petitioner supports in principle the construction of the high speed railway between London and the West Midlands, but not the choice of route east of the proposed Old Oak Common Interchange station because of its adverse effect on your Petitioner, both during construction and operation.

7. Your Petitioner has serious concerns with the works set out in the Bill for the location of the railway tunnel portal, other works on the approaches to Euston, the proposed design of the new Euston terminus and its construction works, future railway operations and their impacts, and the alterations to the existing West Coast Main Line approaches and terminus because they will all directly affect your Petitioner.

8. Your Petitioner respectfully suggests that these provisions of the Bill represent a fundamental threat to the quality of life for your Petitioner and for other residents within the catchment of audible, visual, traffic and other impacts arising from the construction of the works and the operation of the railway on a permanent basis. The impacts are accentuated by the lengthy period of construction and the scale of works proposed and consequential impacts, which are suggested by the Promoter as a 9½ years' duration from first railway site works to station opening, a further 10 years for the remainder of works at the station and with a further indeterminate extent and duration of works for property redevelopment in and around the station and along the route of the railway. Elsewhere in London, equivalent large scale development works can be 10-30 years in duration, after the railway works.
It is therefore considered essential by your Petitioner that, as the enlargement and reconstruction of Euston station is being undertaken with the aim of large scale property redevelopment at and in the vicinity of the terminus, there should be a comprehensive and holistic approach adopted by the Promoter, in respect of all works intended, whether railway or development-based. This is not present in the provisions of the Bill, as the Promoter has not yet finalised their design, sequencing nor environmental impact assessment for the AP3 scheme now proposed, in fact the eighth attempt to produce an acceptable design. Your Petitioner considers that this AP3 scheme is no improvement on previous ones and, rather than improve the environment for residents in the area, will actually make it worse for many, with a construction period of around 20 years, followed by the reconstruction of the Network Rail part of the station. Your Petitioner represents that there is an affordable and operable alternative to the works included within the provisions of the Bill, which can minimise the scale of works and their impacts on the approaches to the Euston terminus, requires less land take and less construction volume and impact at the terminus itself and the transport interchange, can deliver a comprehensive and holistic approach to area redevelopment, and balances development gain with local amenity. Your Petitioner refers to this alternative as 'Euston Express'.

10. Your Petitioner gave evidence to the House of Commons Committee on this Bill. Unfortunately, the Promoter was not able to substantiate their assertion that Euston Express would cost more than the Promoter’s scheme. In subsequent meetings with both the Promoter and Network Rail, the Promoter was still unable to give your Petitioner any comparisons of costs between the two schemes for the section south of the HS2 portal up to and including Euston Station development itself.

11. Your Petitioner discussed the Euston Express scheme with Network Rail, since with the Euston Express scheme, the new rail infrastructure ends at the proposed portal at Queens Park. Thereafter, both HS2 and West Coast Main Line trains all share the use of Network Rail’s lines into Euston.

12. Your Petitioner noted comments by Lord Ahmad in the Second Reading debate in the House of Lords on 15 April that the Euston Express scheme would have a ‘detrimental impact on existing rail services on the west coast main line, that it does not provide the same level of capacity and that it would extend the construction period by around two years and add further costs to the scheme.’

13. Your Petitioner respectfully suggests that the Promoter has not yet produced evidence to support these assertions which Euston Express strongly contests. Your Petitioner is concerned about the unwillingness of the Promoter to enter into
meaningful discussions on Euston Express, and the possible delays to the project if your Committee considers that it merits further investigation.

14. Your Petitioner respectfully suggests that a further period of project development and design and then consultation, and a further period of petitioning, may prove to be necessary for the AP3 ideas for Euston terminus and its approaches, and for any reasonable alternative schemes to the AP3 scheme currently in the Bill may be given an adequate period for review and discussion before your Honourable House considers the subject of the Euston terminus for the new railway.

15. Your Petitioner respectfully submits that the Bill should not be allowed to pass into law in its present form until the Promoter has demonstrated that their proposed scheme, in terms of cost, disruption to passengers during construction and the adverse effect on your Petitioner and the local community, is necessary for the proper operation of the HS2 project and that, if they fail to do so to the satisfaction of your Honourable House, that the Promoter be required to bring forward and include in the Bill, or by alternative means, the Euston Express alternative.

PART 1: SITE-SPECIFIC CONCERNS

16. Part 1 of this petition is arranged in the following sequence:

- 1A Introduction;
- 1B Euston terminus;
- 1C Euston area redevelopment; and
- 1D Euston railway approaches.

Your Petitioner terms these elements in combination as the 'Euston Express' project.

17. Your Petitioner further comments on the Euston Express project in terms of:

- 1E the adequacy of this alternative to carry the necessary flow of trains on the existing West Coast Main Line (WCML);
- 1F the feasibility of altering the WCML railway to support the HS2 services;
- 1G the deliverability and costs of making such alterations; and
- 1H other issues.
1A - Introduction

18. Euston Express proposes the use of the existing Euston station footprint in width as the terminus of HS2 and West Coast Main Line trains. This would require the movement of the line of the HS2 tunnels from Old Oak Common to join the West Coast Main Line near Queens Park Station, so that all trains would use the existing approach routes to the terminus and its (currently 18) platforms.

19. Most platforms would need extending southwards towards Euston Road, and a deck constructed for passenger access and facilities above the station platforms. An underground concourse would also be required to improved access to London Underground stations, and for servicing purposes.

20. The benefits of this scheme are that, for railway purposes, no permanent land take outside the railway land boundaries would be required either on the approaches to or at the station itself, except southwards and for a short section under Hampstead Road Bridge to provide up to two additional tracks into the station.

21. It would involve much less construction work and therefore less passenger disruption in the station area than if the tracks were lowered, and costs are likely to be at least £1 bn less.

22. It still allows commercial development above the train and passenger areas and on railway land areas to the north of the station.

Rolling stock

23. Your Petitioner has had correspondence with HS2 on the need or otherwise for GC Gauge rolling stock in addition to classic compatible trains. Discussions by your Petitioner and rolling stock manufacturers have indicated that there would be considerable cost savings by purchasing one type of rolling stock for HS2 Phases 1 and 2. Clearly this would have to be the classic compatible type. HS2 initially said that all HS2 trains would have to be built to GC gauge specification, but challenged during your Petitioner’s evidence to the House of Commons Committee, admitted that there was no such requirement.

24. The Euston Express scheme would not allow GC gauge trains due to their greater size, but your Petitioner would submit that this is not a problem. At some stage in the future, HS2 will need to be connected to HS1 via London as well as Glasgow and Edinburgh. At that time, a second generation train, built to GC gauge, would be appropriate. This follows experience in France where initially the TGV trains were single deck and ran at 270 kph. Some time later, double deck trains and speed increases to 300kph were introduced as demand increased.
Your Petitioner respectfully submits that there are means of using the existing Euston station footprint, or one slightly larger than now, more efficiently than proposed in the Bill and with fewer overall impacts.

There are three primary factors to consider:

(a) the wasted space within the current Euston platform layout;
(b) the under-utilisation by trains of the current Euston platforms; and
(c) the passenger handling arrangements, which despite the low platform and train utilisation, can incur passenger congestion because most passenger flows have to be handled through the one main concourse.

The first factor allows more platforms to be created within the present terminus footprint. The second factor allows higher train frequencies in and out of the existing terminus, more so if more platforms were created, subject to line capacity limits. This is self-evident because the official proposals within the Bill, and those now advocated by Sir David Higgins, all aim to reduce the footprint required for the continuing and successor West Coast Main Line (WCML) services, and to transfer some of that footprint for use by HS2 services.

To handle more passengers, including those of HS2, reorganisation of passenger circulating space would be required within the terminus, eventually with two effective decks rather than one, and with changes to access for the Underground. The Euston Express scheme would create such spaces over the whole station, in contrast to the AP3 scheme which leaves the WCML part of Euston station largely as it is now, with poor flow arrangements.

Following meetings with HS2 and Network Rail, Euston Express has developed a scheme for the reconstruction of the station in stages which would allow existing WCML services to be maintained, and provide for the HS2 services when they start in 2026. This would generally provide for a minimum of 16 platforms during construction and, after HS2 opens, a total of at least 22 platforms for both HS2 and WCML services.

Since Euston currently has considerable reserve capacity in platform use compared with other main line termini, it should be possible to keep services running, and retain passenger facilities as well as Underground connections whilst the station work is undertaken in phases across the terminus footprint. Also,
because HS2 trains and WCML would be able to share platforms, there are fewer reserve platforms required across the station complex.

31. It is no different in principle to Network Rail's work at London Bridge and the approaches, or the comprehensive, sequential rebuilding undertaken during the 1970-80s at Liverpool Street terminus, the latter in association with major property development above and along the approach tracks, and alongside on redundant railway land.

32. Your Petitioner respectfully submits that the evidence available to him is that the combined HS2 and WCML main line services, in a fully developed state, could then be incorporated at Euston platforms in a footprint the same width as now, so not requiring the same scale of land take, nor the same scale of environmental and construction impact. Your Petitioner recognises, however, that there could be three exceptions to this footprint limit.

33. First, the present Euston terminus scheme allows for a number of 400-metre-long platforms, to enable combined 2-portion HS2 trains each 200 metres long to operate to and from London, sharing the same train slot from a distant junction such as Crewe. While station footprint width is not then the factor, the footprint would need to be long enough to handle these trains.

34. This will require some platform extensions beyond the present buffers, southwards towards the Euston Road, if the station is not to take land from the northern 'throat', which is part of the lands controversy associated with the present scheme in the Bill now before your Honourable House. There may in fact be benefit in extending all platforms to the same more southerly limit.

35. Land take towards the Euston Road is feasible, and is also proposed in the scheme currently within the Bill. Transport for London is also undertaking studies which include the potential for further 'place making' along the Euston Road, so offering scope for further mitigation allied to the HS2 project.

36. The present WCML scale of train arrival, servicing and departure operations at Euston is not intensive per platform, compared to equivalent InterCity and suburban operations at Paddington, St Pancras, King's Cross and Liverpool Street.

37. HS2 Ltd itself is looking to utilise platforms generally on a twice hourly basis. It is prudent to allow at least one reserve platform for resilience. With HS2 Phase 1 planned as a standard 10 trains per hour (tph), maximum 14 tph, this service would require 5 to 7 platforms plus a reserve. With Phase 2 normally up to 16 tph, maximum 18 tph, this would require 8-9 platforms, plus a reserve.
38. Therefore, this seems an excessive provision of terminal platforms, when 10 should be more than adequate, in addition to reversing capabilities at Old Oak Common with its 6 proposed platforms. At least two of the Old Oak Common platforms could be used as reversing platforms for much of the time if required since they will not be required for the cancelled HS1 link.

39. For WCML operations, 28 tph is anticipated in the studies published in November 2015 by the Department for Transport, with 8 tph on the slow lines, 4 on the DC route, and 16 tph on the fast lines. Your Petitioner’s assessment is that the maximum platform requirement at appropriately efficient turn-round rates (quicker for suburban than InterCity), would be 5 InterCity and 4 Commuter, also with a reserve platform required. Further long term growth in WCML passenger demand could require 1-2 additional platforms as well. There is no obvious reason why reserve platforms could not be made useable by both HS2 and WCML services, as junction layouts already permit that in the Camden flying junction area or in the station throat. Currently the tracks would permit that, if there were no segregation of HS2 and WCML track levels. The ‘Euston Express’ scheme seeks to exploit that efficiency.

40. That would allow 9 operational HS2 platforms at times of maximum conceivable use, 9-10 WCML platforms on a similar basis, and two reserve platforms, plus at least two further for HS2 at Old Oak Common. Hence your Petitioner is looking at a Euston station layout requiring 21-22 operational platforms. These could fit within the existing width footprint.

41. The Euston Area Plan looks towards a long term masterplan for the wider Euston area, extending in all directions. A specific aim includes the potential of creating an eastern architectural counterbalance to the western side of Eversholt Street. At present the eastern side of the station, which is the 1960s structural wall of Euston station, is more of a ‘Berlin Wall’ than a complement to the street heritage.

42. To replace that, while keeping the road, with an aesthetically acceptable alternative, is likely to require use of the immediately adjoining station lands -- Platform 1 at least, potentially Platform 2 also. While Platforms 1 and 2 are very wide, and there is available land within the station immediately to the west, it is possible that an eastern land take would require an equivalent western land take beyond Melton Street, in order to maintain the number of platforms.

43. Your Petitioner respectfully observes that such land take would be a consequence of development and community aspirations, not of railway operating requirements. It would be for your Noble House to consider the right balance between provision
for reliable and robust railway operations, and the compulsory purchase of private land currently to the west of the station.

44. Passenger handling, and train and station servicing logistics are important issues, whatever the eventual scale of the station footprint. In order to deal with the additional passenger throughput arrangements for an upper passenger circulation area would be necessary to enable better distribution of passengers along lengthy trains, speedily, to minimise platform occupation times and to achieve quick passenger dispersal from trains.

45. An upper deck would also facilitate extensive retail opportunities, and allow development to take place above. Train servicing arrangements also need to be well organised and streamlined to support fast turnaround of InterCity services and minimise platform occupation times. Because long distance trains could occupy any part of a future station, an upper deck across the station width would enable quick access from a central supplies point, with van distribution to that location. That location could also service the main station and development facilities, whether retail or development.

46. Managing freight movement and goods distribution at high activity locations such as London railway termini is being seen as an emerging logistics and road capacity issue by Transport for London. It has already commenced a study this year into freight traffic issues, to consider options from voluntary measures through to regulation, to reduce lorry and van impacts on congestion, safety and the environment.

47. So there is the requirement for at least one deck above track level, serving multiple passenger handling and servicing functions, and potentially a piazza and retail mezzanine in addition, before the first significant development level were reached. It might be considered that such a location would be the optimal point to locate the re-instated Euston Arch and its lodges — just as the re-instated Temple Bar was replaced not across Fleet Street — and so become a blockage — but was relocated successfully in the piazza alongside St Paul's Cathedral.

48. There is also a benefit in rebuilding Euston station as one whole, with one level deck over the whole station. To leave the existing tired 1960's box, with its third world taxi arrangements and depressing concourse, would be an embarrassing contrast to the recent new works and St Pancras and Kings Cross stations and, your Petitioner suggests, unacceptable in a major station in a capital city. Your Petitioner's preference for 'Euston Express', as discussed below in section 1B, is that track levels are maintained at the present solum, with that being the design 'baseline' with deck(s) and development sequenced above. In that way there is
least construction impact and disruption during what in all options will be a major reconstruction. It retains maximum flexibility for train operations with the ability to switch between groups of platforms, both during the various project stages and with the final layout.

49. All schemes for the Euston terminus will have an impact on the London Underground tube station. The required additional main line circulating areas must be connected to a tube station which itself is expanded in capacity. It is understood that Transport for London (TfL) is promoting various solutions: new circulating areas below ground; higher tube frequencies; a direct link to Euston Square sub-surface station (south-west of Euston main line) with a ticket concourse en route; and eventually the construction of a Crossrail 2 station, potentially with a ticket concourse on the east/south-east side of Euston main line, on that proposed new railway. The general requirements for passenger interchange points to the merits of a below-ground tube concourse extending alongside the Euston Road, from near Euston Square station on the west to the Crossrail 2 station on the east.

50. We note that Camden Council and residents are seeking inclusion of the main Crossrail 2 station entrance within the Euston terminus footprint. With the requirement for a passenger 'buffer' space between Crossrail 2 and the main line circulating areas, to manage passenger volumes in the event of disruption, this would also point to the need for a substantial underground concourse close to Euston Road.

51. Sympathetic changes to the location and operations of the bus, taxi and cycle access facilities will be essential during station reconstruction, and with the final layout. Good passenger access should be retained. Your Petitioner's provisional view is set out below, but this is subject to further consideration and consultation:

(a) Eversholt Street to be designated as bus, taxi and cycle access only, with main bus stops there;

(b) better located bus stops on the Euston Road, as part of the TfL 'place shaping' along the Inner Ring Road;

(c) general traffic diverted to Hampstead Road and Pancras Road; and

(d) options for bus and taxi 'standing area' capacity are:

   (i) parts of Hampstead Road;
(ii) acquire the present Royal Mail sorting office in Barnby Street, off Eversholt Street (it is already within the HS2 'red line zone); and

(iii) some of the existing bus station road may be available for taxi boarding and alighting.

1C - Euston area redevelopment: reduce station reconstruction impacts, reduce overall impacts of possible property development

52. Your Petitioner is very concerned about the scale of excavation of the AP3 scheme, and the extended time, up to 20 years, for completion of the works there. The Euston Express scheme retains all tracks at the same and the existing level, which facilitates the design of passenger facilities with a deck above and access from all platforms to the Underground below.

53. The volume of excavation required for the AP3 scheme is reported to be nearly 1,500,000 cubic metres, more than the excavation required for about 36 kilometres (22 miles) of railway tunnel with an external diameter of 8 metres -- and all within the curtilage of Euston, its approaches, and its neighbouring residential and business communities including your Petitioner's property. Your Petitioner understands that this would require some 2000 trucks a day for 3 years to remove this spoil. Your Petitioner believes that the Promoter must commit to removing the majority of this spoil away by rail. However, your Petitioner points out that the volumes of spoil required to be removed for the Euston Express would be minimal, and generally confined to demolition material.

54. Your Petitioner considers that for Euston Express a phased construction for minimum impact is the key to a successful Euston reconstruction that addresses fundamental concerns being raised within the local community. The methodology is to phase reconstruction sequentially, with impacts being addressed at each stage of rebuild. Subject to further design work, it is sought to roll out a mitigation and construction sequence in the following order:

Phase P (preparatory)

55. Initial preparatory street management (e.g. for local traffic, taxis and buses), in tandem with initial environmental mitigation. Structures and buildings to the south of the existing track ends would be demolished, and five platforms at the western side taken out of use for demolition of the deck above.

56. Phase 1 would include construction of two additional platforms, piling for a new deck and structures above, as well as construction of relevant parts of a new access to the Underground and Crossrail 2, and the extension of existing and new
tracks and platforms southwards. The new deck and roof over the top with provision for future access to platforms and Underground would also be installed. Temporary pedestrian access to and from the deck, ground level, Underground and the platforms would provide space for passenger facilities and waiting.

57. The southern part of the track and platforms and deck above would be continuing to be built in phases to provide, in conjunction with temporary structures, as much pedestrian access as possible during this and subsequent phases.

Phase 2

58. WCML trains would be reinstated to the existing and new platforms at the western side whilst keeping operational the centre group of platforms.

59. Platforms at the East side would then be taken out of use, and reconstructed, to the same process as in Phase 1, to create two new platforms between No 2 and 3. Pedestrian connections to the Underground, roads, buses and taxis would be provided either on temporary works or the new permanent works.

60. All new platforms would incorporate necessary ramps, accesses and supports for decking, servicing access and later development. New Underground circulation would include a ticket concourse with access to Euston Square. Environmental mitigation would be provided for stage works.

61. Phase 2 would be opened to coincide with the opening of HS2. Two more parts of the station platforms would be completed to integrate the arrangements made in Phases 1 and 2, by closing three or four platforms at a time.

62. Phases 3 and 4 would complete the works on the central platforms in two stages.

63. Final works including site remediation, completion of environmental mitigation and surface transport facilities (footpaths/cycles/buses/taxis etc.), completion of upper passenger circulation level/piazza/mezzanine, and segregated train and station servicing facilities. Culmination of public realm above, possibly including Euston Arch and lodges, and provision for property development works.

Property development

64. This might itself commence sooner, but if so should be subordinated to the terminus reconstruction priorities, in order to keep the simultaneous environmental impacts of multiple construction activities within levels considered acceptable to the planning authority. However, piles and other foundations for any property
development above the station would be installed during the phases of works described above.

Permissions

65. Your Petitioner respectfully submits that there is no need for any new provisions for the railway elements of this alternative in the Euston area, apart from extending the platforms within the station, and for the possible construction of additional station platforms within the station boundary, all within the existing limits of the Bill.

Conclusion

66. Your Petitioner believes that the station can be developed to achieve one integrated terminus for both HS2 and WCML trains, to the benefit of all passengers. Construction time would be shorter than the 20 year estimate for the AP3 scheme and could be achieved with much less disruption to the travelling public and the local environment. Costs would also be less.

1D - Euston railway approaches – Works within the existing railway footprint between Kensal Green and Camden Junction, to accommodate HS2 via existing terminus approaches

Approaches

67. Your Petitioner, at meetings with HS2 and Network Rail, has confirmed that Euston Express can provide six tracks from Queens Park to Euston, with the necessary flyovers, gauge enhancement for the DC lines which will take freight as far as the Eastern end of Primrose Hill tunnel, and other improvements.

68. Your Petitioner respectfully submits that the element of the railway mentioned in paragraph 1 is not justified in its proposed form, between Euston terminus and Old Oak Common, because of the parallel examples elsewhere in Western Europe, of using existing tracks upgraded for the last few kilometres of the terminus approaches for use by high speed trains. Nearby examples include the schemes adopted at Paris termini for TGV and Eurostar services, Thalys services at Paris Nord and stations in Brussels, and within the Netherlands.

69. Your Petitioner therefore proposes an alternative route for the two HS2 tunnels from Old Oak Common towards Euston to surface within the limits of the WCML in the Queen's Park/Kilburn High Road area and, by reassigning the various pairs of tracks, to combine HS2 and WCML services onto the existing three pairs of tracks from there into Euston station.
The additional journey time is minimal, compared to high speed tracks all the way to the buffers, and generally achieves significant cost savings by not having to build new tracks in urban areas where land is expensive.

Such a design can therefore provide the cheapest and least disruptive option for approaching existing main line city centre stations, if those have been selected as the preferred stations for such trains. It is incumbent on such a design to show that there is adequate capacity in future circumstances to accommodate the existing and foreseen flows, as well as those of the new high speed line, and that any alterations to terminus approaches are also viable.

Your Petitioner considers that this situation can be demonstrated — and therefore replicated with cost and efficiency savings — in the case of HS2 approaching Euston terminus.

The railway in paragraph 1 is essentially a twin-tunnel, 7½ km railway from eastern tunnel portals at Old Oak Common, to tunnel portals near Parkway on the approaches to Euston, with a final 1.2 km to the buffers at Euston. At full frequency, it would be carrying up to 18 trains per hour. This is a train almost every three minutes, in each direction, so explicitly requires its own double-track route.

Your Petitioner recognises that the tests for this element of 'Euston Express' are therefore:

(a) the adequacy of an alternative, existing railway to carry that flow of trains;
(b) the feasibility of altering that railway to support the HS2 services; and
(c) the deliverability and costs of making such alterations.

Each of these tests is now addressed in sequence. Starting with the adequacy test.

Alternative routes have been investigated. These focus primarily, and logically, on the existing WCML approaches to Euston station. Just as Euston terminus has spare unutilised capacity, so have its approaches. Adoption of the WCML-Crossrail 1 link (LSE RUS option K1) would further reduce passenger train flows on the approaches, so enables evaluation of the capacity of Euston’s approaches for a fundamental reorganisation. However, since this has been rejected by
Government, Euston Express currently allows for all WCML trains to terminate at Euston.

76. Each pair of WCML fast and slow lines is signalled for a minimum three-minute headway.

77. There are freight trains on a day-long basis, some joining/leaving at Camden Junction via the North London Line through Camden Road, and others joining/leaving via Willesden/Stonebridge and the Gospel Oak-Barking line, particularly in future to serve the London Gateway port. Freight train volumes are expected to grow by 50%+ in the following decades, because the WCML is the primary rail freight corridor in Britain. So there is only marginal remaining capacity on the slow lines after these additional flows are allowed for north of Willesden/Stonebridge/Wembley, and if/when WCML-Crossrail 1 trains are allowed for also north of Stonebridge.

78. On the WCML fast lines, it is assumed that line capacity for at least 16 fast passenger trains would be achieved, to comply with the DfT November 2015 forecasts. There would be the potential for this capacity to include more commuter, 'intershire' or Javelin-type trains serving main centres such as Coventry, Nuneaton and Rugby, in future, once longer distance InterCity trains were reallocated to the HS2 tracks from Birmingham and north (which, for many passengers, will amount to new West Coast tracks 5 and 6 to and from Euston).

79. Accordingly, the longer term planning capacity to and from Euston should allow for up to 20 tph on the fast lines, and 12 tph on the slow lines. It should be noted that 18 tph would be carried on just two tracks if it were the ultimate service on HS2.

80. Because of train stopping patterns in the shires and suburbs, the WCML 32 tph would be spread over six tracks on the WCML London approaches, including, relevantly for this Petition, the sector between Kensal Green and the North London Line junction at Camden. This is because the 3 tph Euston-Watford 'DC' service (planned by TfL to increase to 4 tph) has its own independent tracks and tunnels from Watford. Those tracks continue independently under Primrose Hill to the Camden Junction, after London Underground’s Bakerloo Line leaves those tracks west of Queens Park. There are normally only 3 tph using the last section of 'DC' railway east of Queens Park.

81. Those 'DC' tracks could also accommodate the reduced WCML slow line frequency, eastwards from Queens Park, amounting to a combined baseline of 6 passenger tph if WCML-Crossrail 1 were built, or 12 tph if WCML-Crossrail 1 were not built. This is a small volume for track usage in London.
82. In turn the WCML slow line east of Queens Park can be reassigned as the new WCML fast line – and still in total four tracks through inner London (when adding in the combined 'DC'/slow line. Euston Express reviewed its initial scheme before consideration by the Commons Select Committee, in order to demonstrate a complete 4-track sequence all the way to the station throat. This was a consequence of the higher passenger train volumes now forecast by the DfT.

83. The WCML fast lines can then be made available wholly for HS2 trains. These could emerge in the Queens Park-Kilburn High Road area, with a much shorter tunnel route from Old Oak Common, compared to new tunnels and tracks all the way to the buffers at Euston terminus. HS2 trains would then use the WCML fast line tracks into the Euston approaches and the terminus.

84. Your Petitioner submits that this demonstrates that there is an adequate, alternative railway route to the current railway included in the Bill.

1F - Feasibility of altering the Euston approach railway to support the HS2 services

85. The key elements of this second test are considered to be:

(a) additional powers to reroute the HS2 tunnel from Old Oak Common, to join the WCML tracks in the proximity of Queens Park – Kilburn High Road with associated WCML route improvements; and

(b) additional powers for grade separation of the 'up' Bakerloo Line (towards Central London) and the 'down' combined 'DC' and Bakerloo Lines (towards Watford), from a new linking line between the 'up' WCML slow track and the 'up DC' track. This would permit a 'no-conflict' route from the 'up slow' into the 'up DC'. A similar route would be provided in reverse (without grade separation needed) from the 'down DC' to the 'down slow', before the 'down Bakerloo' Line joined the 'down DC'.

86. The grade separation works would be constructed between Queens Park and Kensal Green stations. It is proposed to make use of the builders' yard sited in that section, between the 'DC' and slow lines, in order to create the necessary construction and track diversion space for the new grade separated links.

87. The grade separation would most conveniently be an Underpass for the 'up Bakerloo' and 'down' combined Bakerloo and 'DC' lines, below the revised 'up' slow line link to the 'up DC' line, for three reasons: (1) the presence of Chamberlayne Road bridge between these two stations; (2) the desire to keep railway tracks at the existing track level or deeper, and certainly below the top of the existing railway cutting, in order to minimise noise and other environmental impacts for the
neighbourhood; and (3) freight trains using the combined 'up slow/up DC' route would best be operated at shallow gradients, while the Bakerloo Line and 'DC' multiple-unit trains are designed to cope with steeper gradients with little effect on journey times.

88. Track slewing could be achieved for the WCML fast lines to and from the former slow tracks, east and west of Queens Park station.

89. The revised HS2 tunnel route could then surface between Queens Park and Kilburn High Road stations and join the present WCML fast lines which would normally be uniquely available for HS2 uses.

90. Track connections might be kept between different combinations of lines, for occasional rerouting or engineering requirements. This would greatly improve flexibility of train operations during engineering possessions. It would assist HS2 operations at such periods, as otherwise there would be no flexibility in the proposed HS2 route within the Bill between Old Oak Common and Euston terminus, with the limiting factor for service frequency being the distance and time between Euston and Old Oak of a single track HS2 tunnel, while the other was out of use and until it was repaired. That could limit HS2 frequencies during engineering periods, to about every 8 to 10 minutes in each direction.

91. Routing HS2 via Queens Park would also immediately allow provision of a limited-frequency connection (about 1 tph each way) from the new surface HS2 tracks to the former slow tracks, for occasional cross-London operation of HS2-continent and HS2-East London/Kent trains, if considered desirable, via the existing Primrose Hill link to the North London Line and HS1.

92. No new tracks or tunnels would be required for that, if frequency were kept to 1 tph or fewer, and if such HS2 passenger trains were 'classic-compatible' in loading gauge, as are the present Eurostar trains and former Regional Eurostar trains.

93. Your Petitioner understands that modelling of HS2 passenger demand for through services to and from the continent does not foresee more than 1 tph until later in the 2030s, by which period the business case, authorisation and construction of a redefined HS2-HS1 link (potentially then part of other forecast cross-London flows) could be expected to have taken place.

94. It is the aim for 'Euston Express' not to alter more than necessary the approaches and junction arrangements between Camden Junction, east of Primrose Hill tunnels, and Euston terminus. This was laid out in the 1920s to maximise grade separation and non-conflicted flows to and from the terminus. It is intended to keep
adequate flexibility and to build in capacity for additional train volumes as described above.

95. We therefore require line separation in normal operating circumstances between three parallel pairs of tracks: new HS2 lines, revised WCML fast lines and the combined Slow/DC tracks. This will necessitate use of the west side Camden Carriage sidings line as the new fast outbound HS2 line, in order to achieve 6 tracks where presently there are only 5, near to Primrose Hill. Trackwork changes are also required to enable some trains entering and leaving the terminus to pass on the station throat approaches, on the HS2 and WCML fast pairs, in order to achieve good platform utilisation. The full specification for these adjustments can be scoped with Network Rail.

96. The final topic to be addressed for feasibility is the question of tunnel and tunnel portal dimensions under Primrose Hill, where there are currently four bored tunnels:

(a) twin ’DC’ line tunnels, each a single-track, main-line sized cast-iron tube tunnel, completed in the 1920s at W6a gauge (a basic UK loading gauge dimension). There is a recent engineer’s report confirming they are in very good condition;

(b) a double-track bore at W10/W12 gauge for the WCML slow lines (the original 1830s railway tunnel), which is suitable for through freight trains carrying high containers between ports and inland terminals and linking with the North London Line; and

(c) a later double-track capable of similar loading gauge, for the WCML fast lines.

97. Alteration to the ’DC’ tunnel dimension to enable W10/W12 gauge would be required for high container train operations over the ’DC’ lines, in substitution to the existing WCML slow lines tunnel under Primrose Hill.

98. A similar, nearby main-line cast-iron tunnel (the Euston ’up carriage line, now disused) was altered to allow overhead electrification in the 1960s, as part of the 1960s Euston reconstruction works. Experience elsewhere in London and around the world shows that opening out the internal diameter of such tunnels is feasible, while the tunnels locally are within the engineer-friendly London clay. The brick and concrete structure flying junctions just below the surface at Camden Junction would also require alteration.
99. Gauge enhancement would be required for the 'DC' lines between Queens Park and Primrose Hill tunnel. This might involve either track lowering or bridge raising. Such work has been done successfully by Network Rail for freight routes in several locations around the country.

100. Your Petitioner therefore considers that this infrastructure adjustment is feasible, and also that it can be undertaken without further powers, within the provisions of railway permitted development rights, and expeditiously, ahead of the main reconstruction phases for Euston terminus and for any track changes in the Queens Park-Camden area.

101. No alterations are expected to be required for the existing WCML slow line tunnel dimensions if that became the WCML fast line. Use of those tunnels by HS2 trains diverted for engineering reasons would require use of the 'classic-compatible' rolling stock which is intended to be built for HS2.

102. Your Petitioner respectfully submits that the required alterations to enable the Euston approach railway to accommodate HS2 services whilst maintaining the revised WCML services, have been demonstrated to be feasible. This meets the second test for this element of 'Euston Express'.

103. Elements of the third test include:

Can the works be undertaken within the railway boundaries?

104. Although Euston Express does not require any significant land take on a permanent basis outside the limits of rail ownership, there will clearly be a need for some temporary works areas for the Queens Park area, for the widening of the Primrose Hill DC tunnels, alterations to bridges on the DC lines for W12 gauge and for the works at Euston terminus up to and including the Hampstead Road bridge. Up to two additional tracks may be necessary at that location, to enable some trains to pass within the station throat. The scale of such alterations would be much less than the platforms and tracks required by HS2 in the same locality by HS2. The railway would also be used as much as possible for the movement of materials.

105. For the Queens Park area, the existing builders' yard between the tracks would be used as a main access, and perhaps other areas may be required.

106. At Primrose Hill, access and some land would be required for the tunnel widening operation, but this likely to be small and as much as possible would be located on
railway land, where there are already vehicle access routes in the former Camden Yard approaches.

107. At Euston, the works for Euston Express would be much reduced compared to the other option, but the working areas probably similar or smaller, taking into account the need to keep passenger access and movement as little disrupted as possible.

How much disruption would the works cause to existing rail services?

108. Your Petitioner believes that constructing the works in the Queens Park Area such as track slewing, building an underpass for the Bakerloo line trains and the gauge enhancement of the Primrose Hill DC line tunnels without major disruption to WCML services would certainly cause less disruption than would be necessary for the HS2 planned station, especially if that involved lowering some or all of the platforms and approaches. In the Queens Park area, construction and track works would be undertaken in a phased approach as outlined above to fit in with the phasing of works at Euston station. There would also be benefit from other temporary changes required in order to reduce the number of trains going to Euston during the construction works there. Euston Express seeks to maintain a 16 platform capacity during the bulk of the construction period.

109. The construction of the HS2 tunnel portals would be very similar to that being built for Crossrail beside the Great Western Main Line near Ladbroke Grove station. This does not need to be designed for 250 mph running; all HS2 trains will call at Old Oak Common and stop again at Euston, a distance of around five miles, so a design speed of 100-125 mph would seem reasonable. The tunnelling material of London clay is generally very good for tunnelling.

110. The widening of the Primrose Hill DC line tunnels is also a well-tested method. A recent Network Rail report on the tunnels showed them to be in good condition. Since there are only three trains an hour at present using these lines, with 4 tph proposed by TfL, it may even be possible to widen one tunnel at a time, whilst using bidirectional working on the other one.

111. The works necessary at Euston for Euston Express are considerably less both in time and passenger disruption than those required for either the scheme in the Bill, Sir David Higgins’ alternatives and/or the work necessary to lower the level of the trains. Extending platforms to the south is common to all schemes, and will require building demolition there. One or more decks on top are likely to be required for all options, as is the need to maintain and improve links to the Underground, bus and taxis, etc. The passenger disruption caused by Euston Express would, however, be much shorter than for the other schemes.
Euston Express also does not require the need to lower the approach tracks since the platforms remain at their existing level. This compares with the much more complex work, including massive excavation to lower platforms and approaches, and construct underground rooms, required for the Promoter's AP3 project. Such work could be even more complex than the station work itself if there is an intention to keep WCML trains running there during construction.

What are the cost implications for Euston Express compared to the proposals in the Bill?

Cost savings compared with the HS2 AP3 scheme include:

(a) shorter tunnels from Old Oak Common to Queens Park area compared to near Hampstead Road;

(b) no land take on the west side from Euston tunnel portal from Old Oak Common to and including Euston station; and

(c) much less disruption to passengers and residents around the Euston area by avoiding the long and major works in lowering the platforms at Euston station and widening the station footprint.

Additional costs include grade separation of Bakerloo and Slow lines near Queens Park, the slewing of the tracks in the Queens Park Area and the DC line tunnels enlargement at Primrose Hill; gauge enhancement of DC line from there to Queens Park, Remodelling of the 'DC' line connection to the North London line, additional track work between Primrose Hill tunnel and Euston, changes to throat at Euston including the possibility of adding two more tracks in a tunnel at the North end of Hampstead Road bridge.

Common costs include HS2 portals at Queens Park instead of Parkside East.

Your Petitioner gave evidence to the House of Commons Committee on this Bill. Unfortunately, the Promoter was not able to substantiate their assertion that Euston Express would cost more than the Promoter's scheme. The Committee urged the Promoter to meet with your Petitioner and discuss these issues, but, in subsequent meetings with both the Promoter and Network Rail, the Promoter provided your Petitioner with some comparators between the two schemes between Old Oak Common and only the HS2 portal, which the Promoter believes shows little difference between the two schemes.

However, HS2 was still unable to give your Petitioner any comparisons of costs between the two schemes for the section south of the HS2 portal up to and including Euston Station development itself where your Petitioner believes the HS2
AOP3 scheme is not only very much more expensive but, unlike Euston Express, deliver no significant improvement to the WCML part of the station. Thus, the Promoter cannot substantiate its claims that Euston Express is more expensive than the AP3 scheme.

118. Given the inability of HS2 to provide even cost elements for their AP3 scheme, your Petitioner is working on an independent cost comparison for presentation as part of its oral evidence to the Committee.

1H - other issues

Powers

119. The need or not for powers to increase the size of the two DC line tunnels would need confirming.

120. For moving the line of the main tunnels from Old Oak Common to the West Coast Main Line near Queens Park Station, parts of the proposed lines are outside the limits of deviation of the current scheme, so separate powers would be required. Your Petitioner is advised that this could most easily be achieved by a separate application under the Transport and Works Act. Changes to Euston station would be achieved through the planning process.

121. By this route, there should be no delay to the overall construction programme for HS2.

The Promoter

122. In the Euston Express scheme, the new infrastructure for HS2 terminates at the tunnel portals near Queens Park. Thereafter HS2 trains will run on track maintained, owned and operated by Network Rail, and all HS2 and WCML trains will terminate within a rebuilt Euston station, again owned and operated by Network Rail. Your Petitioner considers that one entity should be responsible for the development of the whole station and not, as is currently proposed, having HS2 develop half of it, and leaving the other part, still owned by Network Rail, unchanged.

123. Your Petitioner understands that, on earlier HS2 schemes, provision and finance was included for the complete station rebuild, for both HS2 and WCML trains, but that at the present time the WCML part has been omitted from any financing or upgrading proposal. This will result in a very unsatisfactory juxtaposition of the new with the tired 1960's Euston station, hidden from view by two unexciting office blocks.
Your Petitioner submits that there would be very good operational benefits for Network Rail to be given full responsibility and finance not only for a comprehensive station plan with commercial development above, but also for managing the many but small changes that Euston Express would require from Queens Park inwards. HS2’s infrastructure responsibilities would therefore cease at the portals near Queens Park and, from there into Euston, HS2 would become the ‘client’ specifying what it wanted from Network Rail.

Benefits of Euston Express

The main benefits of Euston Express include:

(a) less disruption in time and extent to passengers in the Euston area during construction;

(b) no permanent land take outside the railway ownership except south of Euston station; and adjacent to Hampstead Road bridge

(c) benefits to residents west of Euston and along the approaches to the station; and

(d) cost reductions of over £1 bn.

(e) will result in a new modern station for all services, HS2 and WCML, rather than half a station somehow linked into a tired 1960s concrete box.

Conclusion

Discussions with Network Rail and HS2 have led to your Petitioner’s conclusions that there are no ‘show stoppers’ in the Euston Express proposal, either on the approaches, at Euston Station, and either during construction or after completion.

Not only does the Euston Express scheme cost less, but it hardly intrudes outside railway land, it is quicker to build and, most of all, will create a modern integrated station which passengers, for whatever destination, will appreciate for good access to the Underground, to trains, taxis and buses and for a 21st century environment within and around the building. Your Petitioner respectfully submits that the Bill should not be allowed to pass into law in its present form until the Promoter has demonstrated that their proposed scheme, in terms of cost, disruption to Your Petitioner and to passengers during construction and the adverse effect on the local community, is necessary for the proper operation of the HS2 project and that, if they fail to do so to the satisfaction of the House, that the alternative proposed by Since there are a number of issues between HS2, Network Rail and Euston Express, your Petitioner request that the Promoter be instructed to meet with your Petitioner and Network Rail at an early stage to resolve any outstanding concerns
and report back to the Committee in time for it to be given full and fair consideration.

PART 2: GENERAL CONCERNS

Provision of information and consultation

128. Your Petitioner has serious concerns over the provision of information supplied by the Promoter, both prior to the introduction of the Bill and up to the date of the deposit of this petition. This has meant that thorough and detailed assessments of the proposed project, its impacts and benefits have been impossible to compile. In particular, your Petitioner is still to be satisfied about the adequacy of the Environmental Statement. Baseline assumptions made over a number of generic issues have still to be substantiated. Ancillary documentation such as the proposed Code of Construction Practice remains in a draft form, which is neither acceptable in principle, nor in its presumptions, proposals and extent of detail.

Authorisation procedures

129. In line with the Crossrail and Channel Tunnel Rail Link Acts, the Bill contains provisions which provide outline planning permission for the development authorised by the Bill and disapply a number of other statutory regulatory regimes which would normally apply in relation to the construction of works, including the listed buildings and conservation area controls in the Planning (Listed Buildings and Conservation Areas) Act 1990, the Control of Pollution Act 1974 and the London Lorry Ban. Your Petitioner is particularly concerned that the scale of development being advocated in the Euston area by the Government and the Chairman of HS2 Ltd is such that the impacts could be immense, and that therefore your Noble House should give the gravest consideration as to whether such statutory regulatory regimes should be disapplied. Your Petitioner further wishes to ensure that if those controls are to be removed or suspended then in their place there is a robust alternative approval mechanism in each case, in which your Petitioner and the wider community play a full part.

Planning: Conditions

130. Your Petitioner notes that the planning regime set out in the Bill is very similar to that contained in both the Channel Tunnel Rail Link Act 1996 and the Crossrail Act 2008. However, there is one significant difference that causes your Petitioner considerable concern, namely paragraph 2(7) of Schedule 16 to the Bill. That subparagraph says that the relevant planning authority may impose conditions on approval of detailed plans and specifications only with the agreement of the nominated undertaker. This provision could render the planning authorities unable
to impose conditions and should be struck from the Bill. Your Petitioner's concern applies to any other provision in the Bill in which authorities are given powers to impose conditions or other matters but only with the agreement of the nominated undertaker.

Costs of enforcing CoCP compliance

131. 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. Your Petitioner will wish to ensure that the CoCP is complied with properly. Your Petitioner wishes to ensure that all reasonable expenses in raising issues arising from the potential impact of construction sites are met by the nominated undertaker.

GENERAL

132. 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 your Petitioner's protection and benefit are omitted therefrom.

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 the Bill.

AND YOUR PETITIONER REMAINS, &c.

PINSENT MASONS LLP
Parliamentary Agents for Sam Price

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

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

THE PETITION OF PHILIP MOODY AND DIANA MOODY

Declares that:
1. The petitioners ('Your Petitioners') are specially and directly adversely affected by the whole Bill

2. Your petitioners
Your Petitioners are resident at Manor Hey, The Lee, and will be specially and directly affected both during construction and after completion of 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 Petitioners object for reasons, amongst others, hereinafter appearing.

3. Your Petitioners’ concerns

3.1. Tunnel throughout the Chilterns AONB
Your Petitioners, as residents of this part of the AONB, are concerned about the serious and injurious effects of the current 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: it will also 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 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 petitioners are also seriously concerned about the disruptions to their household
and way of life which will result from the construction of the line. This includes the dust,
noise, vibration, traffic congestion and other implications during the long period of
construction.

Your petitioners need access to the A413 in excess of 200 times per year for their trips
into London, to the M1 or M40 when travelling North, local grocery trips, local other
shopping trips in Aylesbury, High Wycombe and Milton Keynes, visits to their local
medical and dental practitioners, to their golf club, their hairdressers and their other
local recreational activities. It is critical to their health and way of life that such journeys
are free from undue stress and delay. Your petitioners further regard this network of
narrow lanes in the AONB as a characteristic feature of the area and are 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 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 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.

e. 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.

f. 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.

g. 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 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.

h. 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.

i. 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.

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

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

I. 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.

m. 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.

n. 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.

o. That arrangements should be made for independent local Valuers to be appointed to advise the Promoter in relation to compensation assessments and Need toSell Scheme and other property valuations.

p. 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 15:00 throughout this section of the AONB, and particularly along the A 413.

b. Prohibiting any widening or enlargement of the narrow minor lanes.

c. 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.

d. 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.

e. 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.

f. 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.

g. That the Promoter provides an air ambulance with crew on standby during working hours, to ensure that medical emergencies receive a prompt response

h. 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

i. 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.

Your petitioners, having both developed in the past 6 years medical conditions which require them to move to a smaller house, further request that the compensation schemes for any loss in value of their property on its disposal are amended to provide compensation for the full loss in value regardless of their distance from the proposed line and the works involved in its construction.

4. The prayer

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.

PHILIP MOODY

DIANA MOODY
To the House of Lords  
Session 2015-16  

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

ANNE PATRICIA KANEKO  
resident, Great Missenden  

 Declares that:  

1. The petitioner is specially and directly adversely affected by the whole Bill, because the inclusion of Additional Provision 4 (AP4) moving the tunnel portal site directly adjacent to South Heath, clearly worsens the negative impact of the scheme on the village of Great Missenden.  

2. Your petitioner has been living on the High Street of Great Missenden since 2004. She feels great affinity for this country village nestling in the Chiltern Hills and its vibrant community. She enjoys walking in the surrounding hills every day, supporting the local shops, and feeling part of the community here. She is concerned about the negative impact of the Bill on Great Missenden as a tourist hub and on the local economy that is dependent on day visitors and other tourists. In addition she objects to the additional visual, noise and congestion blight that will arise in Great Missenden directly affecting residents in different parts of the ward and as a direct result of the C6 portal eight year construction period.  

3. Great Missenden is situated in the very heart of the Chilterns Area of Outstanding Natural Beauty (AONB), and its >50 village businesses (almost all independent businesses) and wide range of health, education, local transport and other services reflect the significance of the village to the AONB and to the communities within it. Great Missenden has a population of 2,500, making it by far the largest of the Misbourne valley and ridge top villages directly impacted by the promoters’ scheme in this part of the AONB.  

4. Great Missenden is also a tourist and day tripper destination in its own right. The village is home to the internationally famous Roald Dahl museum, which attracts over 70,000 visitors to the village per annum, including approximately 10,000 school children in organised school trips and yet the promoter has consistently failed to consider the negative impact of its scheme on our crucial local tourist economy.  

5. Your petitioner is concerned that the measures contained in AP4 will worsen levels of congestion and rat-running in the village, with direct negative impacts on the tourist economy and the long-term financial viability of businesses in the village. The promoter acknowledges that the C6 scheme’s reliance on a new haul road from the Link Rd roundabout will result in a “major adverse significant impact” at the A413/Link Rd junction. This represents a very significant worsening of the impact as reported in the scheme’s original Environmental Statement.
6. Despite the private agreement reached in January 2016 between the promoter and Buckinghamshire County Council to consider options for moving the proposed haul Rd further north, at the time of writing we believe that the promoter has still not provided the necessary baseline information which the Highways Authority needs to try to develop alternative solutions, all subject to local consultation. We are disappointed that this crucial issue for our village was never aired properly during the Commons Select Committee phase of the Bill, despite concerns being expressed by Committee members about the impact of the revised scheme on the village of Great Missenden, nor do we have any confidence that Bucks CC will in practice be in a position to deliver an alternative given the onerous conditions insisted upon by the promoter in the January agreement.

7. In particular your petitioner requires that spoil removal locally, should be north along the trace rather than via the new haul road and the local road network. The Association objects most strongly to the fact that little if no consideration has been given by the promoter to the negative impacts of the proposed new road, associated infrastructure, traffic movements and congestion on the village of Great Missenden. If spoil removal via the trace is not agreed, then as an absolute minimum, the proposed new construction access road from the A413/A4128 Link Rd roundabout, the main entrance point to the village from the A413, must be moved much further north (ie north of Leather Lane) to avoid such direct impacts on the village centre.

8. Your petitioner is concerned that the addition of the access road satellite compound immediately adjacent to the A413, the repositioning of electricity pylons, the relocation of two material stockpiles to the new access road, the requirement for 10.6 ha of additional land for the construction of the new portal access road on land directly opposite the village centre and the 8 year operation of the main Chiltern north portal satellite compound, will have a severe visual impact on sightlines from the village centre, plus associated noise and air quality impacts on people living, working in and visiting Great Missenden.

9. Your petitioner is dismayed that despite the promoter’s claim in July 2015 that C6 would benefit people “in” Great Missenden, the Bill largely ignores the impacts of the revised scheme on the largest population centre in the Community Forum Area 9 area, failing to consider the socio-economic impacts of the scheme for businesses in the village and in particular its impacts on tourism.

10. The promoter claims that the extension of the Chiltern tunnel will “result in the retention of a total of 5 jobs,” presumably those currently affected by two business demolitions required by the original scheme, but once again the promoter completely ignores the negative impacts of the scheme, including the eight year construction period on tourism related jobs in the heart of Great Missenden.
11. Your petitioner requires the promoter to undertake further viewpoint and noise impact analysis of the revised scheme from west of the A413, including from the village primary school grounds and the residential Elmtree Green.

12. Your petitioner believes that the only practicable solution to the noise, transport, local economy, environmental destruction and other negative impacts of the promoter’s scheme is a fully bored tunnel throughout the entire AONB. That is the only measure that would fully protect Great Missenden village and the central Chilterns area in its entirety, delivering very significant environmental advantages including (but not limited to) minimal disruption to our community and to its vital local businesses and services, no loss of jobs, no loss or severance of farmland, a significant reduction in noise issues, much reduced impact on wildlife and local biodiversity, limited damage to the vital AONB tourist economy and amelioration of stress, anxiety and depression among local residents. If that is rejected again, the Association asks that the "C6" tunnel portal site is moved northwards away from Great Missenden village, as an absolute minimum to implement in full the REPA C5 proposal.

14. Your petitioner further requests that Members of the Committee visit our village for a public meeting and also to visit the extended C6 portal site area, including the proposed new access road, before reaching a decision on the extended tunnel issue.

The petitioner asks the House of Lords, that Cllr Sebastian Berry our local councillor and an excellent representative of the views of Great Missenden residents, 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.

Anne Kaneko  
46 High Street  
Great Missenden  
Buckinghamshire  
HP16 0AU  
18th April 2016
IN PARLIAMENT
THE HOUSE OF LORDS
SESSION 2015–16

PETITION against the

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – Praying to be heard by Counsel, &c.

THE HUMBLE PETITION of THE COUNCIL OF THE LONDON BOROUGH OF EALING

YOUR PETITIONER DECLARES that:

1. A Bill (hereinafter referred to as "the Bill") has been introduced and is now pending in your noble House intituled "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. Your petitioner is specially and directly adversely affected by the whole Bill.

YOUR PETITIONER

3. Your Petitioner is the Council for the London Borough of Ealing (hereinafter referred to as "the Borough"), located in the north-west of London. Your Petitioner was established under the London Government Act 1963, which also conferred important powers and duties upon Your Petitioner. Numerous enactments since have added to Your Petitioner's statutory powers and duties in respect of the provision of public services in the Borough. Amongst other functions, Your Petitioner is the highway authority for most existing or proposed public highways in the Borough and the planning authority, responsible for general planning and the preparation of development plans and local development schemes.

4. The Borough comprises a mixture of residential, industrial and commercial land over a densely populated 55 square kilometres, with a population of approximately 340,000 residents. The seven main areas within the Borough are Acton, Ealing, Greenford,
Hanwell, Northolt, Perivale and Southall. The Borough is the 4th most ethnically diverse borough in the country in terms of sheer numbers.

5. In accordance with section 239 of the Local Government Act 1972, Your Petitioner has passed a resolution that it is expedient to oppose the Bill in its current form.

6. Scheduled Work Nos. 1/15, 1/40-1/51 and 1/53-1/55 authorised under the Bill will be carried out within the Borough and a number of plots in the Book of Reference deposited with the Bill are within the Borough and are subject to various powers under the Bill. As a result, Your Petitioner and the Borough's inhabitants are injuriously affected by the provisions of the Bill, to which Your Petitioner objects for the reasons, amongst others, hereinafter appearing.

YOUR PETITIONER’S CONCERNS

7. Your Petitioner is concerned that the Bill in its current form fails to address a number of issues which would have severe consequences on Your Petitioner and the inhabitants of the Borough.

8. Your Petitioner previously raised concerns as to whether the proposals for HS2 Phase 1 sufficiently addressed a number of adverse impacts arising out of the construction of the proposals. In particular, Your Petitioner identified the following concerns, amongst others:

(a) lack of adequate property compensation for certain areas within the Borough, above and beyond the proposed property compensation measures;

(b) lack of adequate mitigation in respect of both construction and operational effects, in particular on junctions within the Borough;

(c) proposals for the reconfiguration of Victoria Road in the Borough;

(d) the proposals concerning Westgate Ventshaft;

(e) inadequacy of the Code of Construction Practice; and

(f) extent of the public realm works.

9. Your Petitioner has been in discussion with the Secretary of State for Transport in relation to the proposals for HS2 Phase 1 and both parties have made progress. Your Petitioner has received a number of assurances from the Secretary of State in relation to the implementation of the powers in, and the carrying out of works that would be
authorised by the Bill. Those undertakings have dealt, in principle, with most of Your Petitioner's concerns.

10. On 7 September 2015, the Secretary of State provided Your Petitioner with a set of assurances ("the September Assurances") dealing with effects of the Bill on Wells House Road, open space and play areas, the reconfiguration of Victoria Road, the stopping up of Old Oak Common Lane and alternative transportation options in light of the effects of the Bill on bus provision. Your Petitioner raises no concerns in this petition on these matters.

11. Most recently, on 8 January 2016, the Secretary of State provided Your Petitioner with a further set of assurances ("the January Assurances"), supplementing the September Assurances, and dealing with:

   (a) the Code of Construction Practice and Environmental Minimum Requirements to be adopted in relation to the works authorised by the Bill;
   
   (b) the Old Oak Common Lane conveyor;
   
   (c) the realignment of Victoria Road;
   
   (d) open space;
   
   (e) Westgate Ventshaft; and
   
   (f) traffic modelling.

12. While Your Petitioner sets out below more detail on certain of the above issues, in many cases, those assurances make provision for the Secretary of State to carry out further studies and associated work or engagement to provide solutions that will deal with Your Petitioner's concerns. As at the date of this Petition, those studies, etc. have not been completed and accordingly, Your Petitioner does not know what solutions will be identified to deal with its concerns listed above or, indeed, whether the Secretary of State will determine to implement those solutions. Accordingly, Your Petitioner is obliged to petition in order that Your Petitioner can bring these issues before the Select Committee or your noble House pending, or following, (as the case may be) the Secretary of State's determination on the solutions. However, Your Petitioner does not intend the bringing of this petition to impute any criticism of the Secretary of State or the Promoter of the Bill at this stage.
13. In addition to the concerns about the matters dealt with in the assurances set out above (details of which are set out below), following on-going discussions with residents of the Borough, Your Petitioner has also identified two additional concerns in connection with the Bill:

(a) the demolition of Plantagenet House on Victoria Road; and

(b) the proposed design of the conveyor system on Atlas Road

Old Oak Common Conveyor and the reduction of HGV movements

14. Your Petitioner has been concerned with the significant increase of HGVs within the Borough as a result of the works proposed to be authorised by the Bill, particularly around the Old Oak Common Lane area.

15. In the January Assurances, the Secretary of State committed to require the nominated undertaker to work with Transport for London and Your Petitioner and produce a study to explore the options for utilising a conveyor along Old Oak Common Lane or, ideally, utilise the proposed subway to be constructed by Transport for London between the west end of the Old Oak Common Station and the Victoria Road worksite for the transportation of construction materials.

16. Whilst Your Petitioner understands that a draft study may be available at the end of April, Your Petitioner has seen no documentation to date on this topic. The final situation therefore cannot be known. Your Petitioner petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

Traffic modelling

17. Your Petitioner has concerns over traffic impacts of the works to be authorised by the Bill in particular locations in the Borough, namely Victoria Road, Old Oak Common Lane, Savoy Circus (A40) and Gypsy Corner (A40).

18. In the January Assurances, the Secretary of State committed that he would require the nominated undertaker to engage with Your Petitioner to commission additional traffic modelling during construction works.

19. Your Petitioner has not yet engaged with the nominated undertaker as at the date of this petition, although understands work is on-going. Whilst a meeting is scheduled between the parties for the end of May, as with the above, Your Petitioner petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.
Westgate Ventshaft

20. Your Petitioner has raised concerns about the impact of the proposed works in the Bill in respect of the Westgate Ventshaft in the Borough and how these can be mitigated, particularly around traffic management and parking issues.

21. In the January Assurances, the Secretary of State committed to require the nominated undertaker to engage with Your Petitioner on a study on mitigation for the works, such study to then be submitted and considered by the Secretary of State who will then decide which proposals should be implemented.

22. A first version of the study is due, under the January Assurances, to be provided to Your Petitioner by 30 May 2016. Your Petitioner recognises that the deadline for the study is a little time away, but the final situation therefore cannot be known ahead of the petitioning deadline. Your Petitioner therefore petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

Code of Construction Practice

23. Your Petitioner expects to see a fourth draft of the Promoter’s Code of Construction Practice (CoCP) in relation to the works authorised by the Bill at the end of April 2016. In the January Assurances, the Secretary of State committed that the areas of the CoCP to be considered through the HS2 Planning Forum would include provisions relating to the following aspects in the Borough:

(a) air quality;

(b) landscape and visual;

(c) the safety of vulnerable users;

(d) the mechanisms for the amendment of the CoCP over time to reflect changes in standards, legislation and guidance;

(e) a Route Wide Traffic Management Plan and associated documents.

24. As at the date of this petition, the next draft of the CoCP has not yet been completed and Your Petitioner can not know whether the provisions above have been included. Your Petitioner petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.
Victoria Road

25. Your Petitioner has raised concerns about the Secretary of State's proposed approach to the realignment and redesign of Victoria Road as part of the works under the Bill.

26. In the January Assurances, the Secretary of State committed to requiring the nominated undertaker to work with Your Petitioner to produce a study on Your Petitioner's proposed alternative design and configuration for Victoria Road, which incorporates a single carriageway in each direction and segregated pedestrian footways and cycle lanes. Your Petitioner is absolutely committed to seeing its proposed design realised, as it considers the current proposed design inappropriate.

27. The January Assurances also committed the Secretary of State to require the nominated undertaker to take account of the conclusions of the study in completing the detailed design of the Victoria Road works.

28. Your Petitioner has not yet seen any work carried out by the Secretary of State or nominated undertaker at the date of this petition and, as such, the final situation therefore cannot be known ahead of the petitioning deadline. Your Petitioner therefore petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

Open space and trees

29. Your Petitioner has been concerned about the satisfactory restoration of public realm works in the vicinity of Victoria Road and Old Oak Common Lane, following the completion of the relevant works authorised by the Bill.

30. In the January Assurances, the Secretary of State committed to requiring the nominated undertaker to undertake and fund a study, in consultation with Your Petitioner, on the restoration of the public realm works. The nominated undertaker must then take account of the findings of the study in the detailed design process.

31. Similarly to the above, Your Petitioner has not yet seen any work carried out by the Secretary of State or nominated undertaker at the date of this petition and, as such, the final situation therefore cannot be known ahead of the petitioning deadline. Your Petitioner therefore petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.
Lack of adequate property compensation

32. Your Petitioner has previously raised concerns that the compensation scheme as proposed by the Promoter will not adequately compensate a number of its residents who will be significantly affected by the Bill. Your Petitioner respectfully submits that, whilst the severity of the impacts of the scheme has been recognised by the Promoter, the needs of these residents are not reflected in the proposed scheme, and indeed it does not provide enough options for these residents where significant disturbance and disruption would occur.

33. Your Petitioner respectfully submits that the proposed discretionary compensation scheme should be widened in order that the interests of residents of the Borough that will be significantly affected by works authorised by the Bill are fully protected. Specifically, Your Petitioner requests that the Wells House Road / Midland Terrace / Shaftesbury Gardens area in Acton and the Carr Road / Badminton Close area in Northolt be treated as specially sensitive receptors which are subject to a streamlined mechanism of advance compulsory purchase and associated compensation. Works authorised by the Bill are proposed to take place directly adjacent to these parts of the Borough and as a result, residents will be significantly affected, potentially more so than in any other area affected by the Bill. Such a scheme would adequately mitigate the effects of the current uncertainty.

34. In discussions with the Secretary of State to date, Your Petitioner has repeatedly raised this point. In the January Assurances, in the context of enhanced mitigation funds proposed by Your Petitioner, the Secretary of State stated that it was not considered appropriate to offer any enhanced provision to certain residents in the Borough.

35. Your Petitioner therefore petitions such that the Select Committee can reconsider this point, given the significant impacts expected to be experienced by certain residents in the Borough, and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

Demolition of Plantagenet House

36. Following further discussions with residents of the Borough, Your Petitioner has identified a particular concern raised associated with the proposed demolition of Plantagenet House at 55 Victoria Road ("the Property").

37. It is proposed by the Secretary of State in the Bill that the Property be demolished to accommodate construction activities.

38. Your Petitioner submits that it is not necessary to demolish the entirety of the Property - rather, the art deco frontage of the Property should remain, with only the middle and
rear sections being demolished. This would have the effect of saving an important historic heritage building in the area (identified as a non-designated cultural heritage asset in the supplementary environmental assessment), whilst also providing a valuable ‘buffer’ zone for neighbouring residential properties.

39. Your Petitioner submits that the Secretary of State should require the nominated undertaker to investigate (in conjunction with Your Petitioner) and implement this proposal, due to the benefits it would provide with minimal impact on the construction of HS2 Phase 1.

Atlas Road conveyor

40. Your Petitioner is aware that many residents of the Borough in the Wells House Road, Midland Terrace and Shaftesbury Avenue will be adversely affected by the proposed Atlas Road conveyor.

41. Those residents are particularly concerned as to the proposed height of the conveyor, which Your Petitioner understands to be some 3.3m above ground level which will be around the height of many residents’ first floor windows. The residents are also concerned about the unspecified amount of time that the conveyor will be operational for.

42. Your Petitioner submits that the Secretary of State should require the nominated undertaker to design the conveyor as close to ground level as possible to minimise impacts on residential properties, together with the provision of sound proofing and hoardings.

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 the Bill.

AND YOUR PETITIONER REMAINS, &C.

PINSENT MASONS LLP
Parliamentary Agents for The Council of the London Borough of Ealing

18 April 2016
IN PARLIAMENT

THE HOUSE OF LORDS

SESSION 2015–16

PETITION against the

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – Praying to be heard by Counsel, &c.

THE HUMBLE PETITION of CEMEX UK OPERATIONS LIMITED

YOUR PETITIONER DECLARES that:

1. A Bill (hereinafter referred to as "the Bill") has been introduced and is now pending in your noble House intituled "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. Your Petitioner is specially and directly adversely affected by the whole Bill.

YOUR PETITIONER

3. Your Petitioner is CEMEX UK Operations Limited, the UK operations arm of CEMEX S.A.B de C.V, a global building solutions company and leading supplier of cement, ready-mixed concrete and aggregates. In the UK, your Petitioner also provides asphalt, flooring, concrete block and rail products.

4. Your Petitioner operates a comprehensive national supply network to ensure that quality products and services are available to customers. Your Petitioner employs approximately 3,000 people in the UK and generates around £775 million in annual sales.

5. Your Petitioner has a purpose-built facility at Washwood Heath ("the Washwood Heath Facility") that comprises a rail sleeper manufacturing centre, an aggregates distribution hub and asphalt plants which operate on an integrated basis.
6. In particular your Petitioner has over 20 years' experience in manufacturing pre-
stressed concrete railway sleepers and crossing bearers ("the rail products") at the
Washwood Heath Facility which are used in high speed, main-line railway track
applications and railway lines. The manufacturing centre, which was built in the
1990s, has direct rail connections and incorporates state of the art production and
quality control equipment and procedures.

7. The Midlands-based, line-side position of the Washwood Heath Facility ensures that
aggregate materials and finished rail products can easily be distributed by rail,
providing significant reductions in heavy goods vehicle journeys. There is a proven
track record of fast and efficient goods handling at the Washwood Heath Facility's rail
sidings. Where delivery by rail is not possible – for example to deliver products into
Birmingham city centre - the Facility's close proximity to the country's main motorways
enables rapid delivery by road when required.

8. The construction of the rail products requires significant amounts of aggregate. The
aggregates distribution hub at the Washwood Heath Facility handles 325,000 tonnes
of products per annum, which is brought in by rail and equates to 20,000 lorry
movements. As well as for rail sleeper manufacturing, the aggregate materials are
used by your Petitioner for asphalt products, production of readymix concrete at your
Petitioner's local concrete production plant network, and sale to customers in the
construction industry.

9. Asphalt production at the Washwood Heath Facility supplies approximately 25% of the
Birmingham conurbation's requirement for asphalt and produces sufficient asphalt
each year to lay 225km / 140 miles of roads.

10. The co-location of the rail sleeper manufacturing centre with the aggregates
distribution hub and asphalt plants provides significant synergies in terms of shared
technical expertise, integrated management and reduced logistics, minimising heavy
goods vehicle movements and associated emissions as well as providing cost
advantages which Your Petitioner is able to share with its customers (who include
Network Rail and London Underground).

11. Approximately 115 people in total work at the Washwood Heath Facility site and
around 50 independent haulage contractors are connected with it.

12. The rail sleeper manufacturing centre produces in excess 450,000 rail sleepers per
annum, which are supplies of strategic significance to Network Rail and London
Underground Ltd as the manufacturing centre supplies 53% of Network Rail's annual
sleeper requirement of circa 850,000 units and 100% of the London Underground
annual requirement of 35,000. Your Petitioner's existing contract for the supply of
sleepers to Network Rail will end on 31 March 2019, subject to any extension of such contract. Your Petitioner is currently re-tendering for Network Rail's principal contract for the manufacture and supply of railway sleepers.

13. The construction and supply of the rail products is a specialised business with rail products required to meet demanding technical and safety standards. Rail sleeper production is an advanced manufacturing process with stringent technical specifications and quality control standards. Concrete rail sleepers must be engineered to a tolerance of less than 0.5mm on many critical attributes. The function of the rail sleeper is to hold the rails in correct gauge and alignment, providing a firm and level support whilst absorbing and transferring the dynamic movement caused by trains passing along the rail track through the sleeper into the supporting ballast below. Your Petitioner's rail sleepers must be able to withstand the dynamic forces of a train weighing 3,000 tonnes travelling at 125 mph in a safe manner, maintaining the lateral and longitudinal stability to the track.

14. The production of sleepers from the Washwood Heath Facility is of national strategic importance, being vital to the national railway network and also to the future construction of the Scheduled Works.

YOUR PETITIONER'S CONCERNS

15. Your Petitioner previously raised concerns that the Bill will:

15.1 cause the cessation of operations at the Washwood Heath Facility, the foremost site in the UK for the manufacturing of rail sleepers and other rail products, which is of national strategic importance for the reasons explained above, without provision being made for a suitable alternative site; and

15.2 sterilise part of a key source (the Quarry Extension) of the silica sand required for the construction of such sleepers at the Petitioner's quarry located at Berkswell, Solihull.

16. Your Petitioners have been in detailed discussions with the Secretary of State for Transport ("the Secretary of State"). The Secretary of State has entered into an agreement with your Petitioner and others in relation to the Quarry Extension which has satisfactorily dealt with your Petitioner's concerns. In addition, the Secretary of State has provided an undertaking ("the Undertaking") making certain provisions in the context that your Petitioner relocates the undertakings carried on at the Washwood Heath Facility to an alternative sites or sites.

17. Your Petitioner outlines the provisions of the Undertaking material to the matters raised in this petition as set out below.
18. Paragraph 4 provides, in summary, that in the event that your Petitioner is successful in its tender for a new contract for the supply of sleepers to Network Rail then the Secretary of State shall enter into an agreement with your Petitioner which requires the Secretary of State to reinstate your Petitioner's railway sleeper business to either a specified site or a site to be identified by your Petitioner and pay compensation in accordance with the Compensation Code (including an advance payment to a level of 90% of the Secretary of State's estimate of such compensation). Paragraph 4 is subject to the Secretary of State approving a business case for such an advance payment in accordance with the business case framework set out in paragraph 8.

19. Paragraph 5 codifies the assumptions that the Secretary of State will adopt in assessing such compensation pursuant to Rule 2 and Rule 6 of the Compensation Code.

20. Pursuant to paragraph 5.1, the Secretary of State undertakes to provide an estimate of Rule 2 compensation for property value to be payable to your Petitioner within 4 weeks of receiving a fully-evidenced indicative claim of such compensation sought by your Petitioner.

21. Pursuant to paragraph 5.2, the Secretary of State undertakes to (amongst other things) provide an assessment of Rule 6 disturbance compensation within 4 weeks of receiving an indicative claim of such compensation sought by your Petitioner.

22. Your Petitioner agreed to provide a form of such claims to the Secretary of State by end February 2016 (pursuant to paragraph 5.4) which it duly provided on 29 February.

23. The Secretary of State undertook (pursuant to paragraph 5.4) to provide a:

"... comprehensive and supported response (dealing explicitly, amongst other things, with the recoverability of disturbance costs (including special adaptations) and any applicable adjustments / adjustment rates) to each head of claim by 1 May 2016". As at the date of this petition, your Petitioner has not received such a response from the Secretary of State.

24. Paragraph 6 provides that the Secretary of State shall enter into an agreement with your Petitioner providing that the Nominated Undertaker will pay compensation to your Petitioner in accordance with Compensation Code in relation to (amongst other things) the costs of the acquisition of, and relocation to, an alternative site for Your Petitioner's aggregate and asphalt operations (including an advance payment to a level of 90% of the Secretary of State's estimate of such compensation). Paragraph 6 is subject to the Secretary of State approving a business case for such an advance in accordance with the business case framework set out in paragraph 8.
25. At the date of this petition, your Petitioner has not received the estimate of the Rule 2 compensation and the assessment of the Rule compensation 6 from the Secretary of State in accordance with paragraphs 5.1 and 5.2 of the Undertaking and the Secretary of State has not progressed the production of the two business cases required pursuant to paragraphs 4 and 6. Your Petitioner has no confidence that the comprehensive and supported response to each head of claim in the Rule 6 assessment will be provided by 1 May 2016 in accordance with paragraph 5.4.

26. Paragraph 7 of the Undertaking entitles your Petitioner to deposit a petition against the Bill in the House of Lords if, by 1 May 2016 or Second Reading of the Bill in the House of Lords (which is the earlier), the Secretary of State has not:

26.1 provided its comprehensive and supported response to your Petitioner in accordance with paragraph 5.4 of the Undertaking; and

26.2 progressed the production of the two business cases required pursuant to paragraphs 4 and 6.

27. Your Petitioner hopes that such responses and the business cases will be forthcoming prior to the earlier of 1 May 2016 or Second Reading of the Bill in the House of Lords. It is therefore with regret that your Petitioner is obliged to petition the Select Committee in the meantime, pending the Secretary of State’s provision of such matters.

28. Your Petitioner therefore petitions against the Bill in order that, if need be, the Select Committee can consider the issues raised in this petition and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

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 the Bill.

AND YOUR PETITIONER REMAINS, &C.

PINSENT MASONS LLP
Parliamentary Agents for Cemex UK Operations 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 Ken Brown and Amanda Conquy Brown  

Declares that:  

1. The petitioner is specially and directly adversely affected by the whole Bill, because the inclusion of Additional Provision 4 (AP4) moving the tunnel portal site directly adjacent to South Heath, clearly worsens the negative impact of the scheme on the residents and businesses of the area of and including Great Missenden, of which we are one.  

2. Your petitioner is Ken Brown and Amanda Conquy Brown who petition jointly. We are local residents who have both lived and worked in the village of Great Missenden for the last 22 years. Ken as a sole practitioner architect and Amanda, who until recently managed the literary estate of Roald Dahl and was Chair of the Roald Dahl Museum and Story Centre. Your petitioner is concerned about the negative impact of the Bill on the economy of Great Missenden. In addition we object to the visual, auditory permanent damage that will be done to this Area of Outstanding Natural beauty for all time, as well as to the additional problems of the construction period, that will arise as a direct result of the C6 portal.  

3. Great Missenden’s location within the AONB makes it a precious village within the country, and one that should be protected, for the benefit of the residents, the many visitors and day trippers who come here for its position within the AONB as well as to visit the world-famous Roald Dahl Museum and Story Centre, and the landscape around it which the internationally renowned author wrote so powerfully about in his books such as Fantastic Mr Fox, James and the Giant Peach, The BFG and The Minpins. The very things they come for will be directly impacted by the promoters’ scheme in this part of the AONB.  

4. Your petitioner notes that the promoter acknowledges that the C6 scheme’s reliance on a new haul road from the Link Rd roundabout will result in a “major adverse significant impact” at the A413/Link Rd junction. This represents a very significant worsening of the impact as reported in the scheme’s original Environmental Statement and this is a major concern especially vis-a-vis the ensuing negative impacts on the tourist economy and the long-term financial viability of businesses in the village.  

5. We are aware that a private agreement was reached in January 2016 between the promoter and Buckinghamshire County Council to consider options for moving the proposed haul Rd further north, but we understand that the promoter has still not provided the necessary baseline information which the Highways Authority needs to try to develop alternative solutions, all subject to local consultation. We are disappointed that this crucial issue for our village was never aired properly during the Commons Select Committee phase of the Bill, despite concerns being expressed by Committee members about the impact of the revised scheme on the village of Great Missenden.
6. Your petitioner is concerned that the proposed access road satellite compound immediately adjacent to the A413, the repositioning of electricity pylons, the relocation of two material stockpiles to the new access road, the requirement for 10.6 ha of additional land for the construction of the new portal access road on land directly opposite the village centre and the 8 year operation of the main Chiltern north portal satellite compound, will have a severe visual impact on sight-lines from the village centre, plus associated noise and air quality impacts on our community, and our visitors.

7. Your petitioner finds it hard to believe that despite the promoter’s claim in July 2015 that C6 would benefit people “in” Great Missenden, the Bill fails to consider the socio-economic impacts of the scheme for businesses and thus residents in the village and in particular its impacts on tourism.

8. Your petitioner believes that the protection to the landscape that an AONB listing should afford can should be applied in this instance not only for this particular AONB but also to protect the principle of having AONBs, and of their crucial importance, to the well being and quality and protection of the country as a whole.

9. Your petitioner believes that the only practicable solution to all the above concerns: i.e. the long-term environmental destruction, the noise and problems for the local economy during the short and long term, and other negative impacts of the promoter’s scheme, is a fully bored tunnel throughout the entire AONB. That is the only measure that would fully protect Great Missenden village and the central Chilterns area in its entirety, delivering very significant environmental advantages including (but not limited to) minimal disruption to our community and to its vital local businesses and services, no loss of jobs, no loss or severance of farmland, a significant reduction in noise issues, much reduced impact on wildlife and local biodiversity, plus limited damage to the vital AONB tourist economy. We recognise there is a possibility that that could be rejected again, in which case we ask that the “C6” tunnel portal site is moved northwards to implement in full the REPA C5 proposal.

10. Your petitioner further requests that Members of the Committee visit our village for a public meeting and also to visit the extended C6 portal site area, including the proposed new access road, before reaching a decision on the extended tunnel issue.

The petitioner therefore asks the House of Lords that he/she, 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.

Amanda Conquy Brown and Ken Brown
18th April 2016
To the House of Lords  
Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Alan and Patricia Deeley

Declares that:

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

2. The petitioners are the owners of an affected property within the Parish of Burton Green. They have lived in Burton Green for 32 years and in their current property since 1994. The property resides 160m from the centre of the line and was extended in November 2009 at a significant cost which would not have been made had they known HS2 would be announced the following year. The petitioners are recently retired and had anticipated many years of enjoying the rural tranquillity of the area which will no longer possible as a result of HS2. They have now been living under the threat of HS2 for 6 years.

3. Your petitioner’s concerns

   Noise

   a) Your petitioners originally petitioned for a deep bore tunnel through Burton Green which they consider to have been unfairly rejected by the promoter. In view of this they believe that further improvements need to be made to the ‘cut and cover’ tunnel through Burton Green order to mitigate the effect of noise on their property.

   b) Your petitioners believe that the original base sound readings were taken in an area which is significantly noisier than experienced noise levels at their property. This has therefore diluted the projected noise level impact once HS2 is operational.

   c) At the tunnel south portal where the line runs behind their property your petitioners believe that the 50m extension to the cut and cover tunnel is not long enough to mitigate the noise impact. They request the cut and cover tunnel be extended by 400-500m. This will provide further mitigation to the noise they will experience as well as for residents of ‘Le Van’ park homes, the Village Hall, ‘Two Oaks’ Day nursery and other residents on Red Lane.

   d) However their preferred solution would still be a deep bored tunnel as this addresses many more issues than just noise impact.
Compensation

a) Your Petitioners are one of 14 homes on the edge of Burton Green that fall just outside the Rural Support Zone. They believe that they will be similarly affected as those properties which are closer to the line, due to proximity of the southern portal to their home. Should HS2 go ahead they want to be able to sell their house at a fair market value and at a time that is suited to them.

b) Your Petitioners are petitioning that their property should be covered within the Rural Support Zone, which would allow them to be adequately supported or compensated depending on their future decision to stay or move from the area.

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.

Signature of Petitioners

Alan Deeley
Patricia Deeley

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

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Michael and Jacqueline Lynch

Declares that:

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

2. The petitioners are the owners of an affected property within the Parish of Burton Green. They have lived in Burton Green for 26 years. Their property resides 160m from the centre of the line. The petitioners are retired and had anticipated many years of enjoying the rural tranquillity of the area which will no longer possible as a result of HS2. They have now been living under the threat of HS2 for 6 years.

3. Your petitioner’s concerns

Noise

a) Your petitioners originally petitioned for a deep bore tunnel through Burton Green which they consider to have been unfairly rejected by the promoter. In view of this they believe that further improvements need to be made to the ‘cut and cover’ tunnel through Burton Green order to mitigate the effect of noise on their property.

b) Your petitioners believe that the original base sound readings were taken in an area which is significantly noisier than experienced noise levels at their property. This has therefore diluted the projected noise level impact once HS2 is operational.

c) At the tunnel south portal where the line runs behind their property your petitioners believe that the 50m extension to the cut and cover tunnel is not long enough to mitigate the noise impact. They request the cut and cover tunnel be extended by 400-500m. This will provide further mitigation to the noise they will experience as well as for residents of ‘Le Van’ park homes, the Village Hall, ‘Two Oaks’ Day nursery and other residents on Red Lane.

d) However their preferred solution would still be a deep bored tunnel as this addresses many more issues than just noise impact.

Compensation

a) Your Petitioners are one of 14 homes on the edge of Burton Green that fall just outside the Rural Support Zone. They believe that they will be similarly affected as those properties which are closer to the line, due to proximity of the southern
portal to their home. Should HS2 go ahead they want to be able to sell their house at a fair market value and at a time that is suited to them.

b) Your Petitioners are petitioning that their property should be covered within the Rural Support Zone, which would allow them to be adequately supported or compensated depending on their future decision to stay or move from the area.

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.

Signature of Petitioners

Michael Lynch

Jacqueline Lynch

16th April 2016
To the House of Lords

Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF TWYFORD CRICKET CLUB, in the County of Buckinghamshire

Declares that:

1. The petitioner is specially and directly adversely affected by 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 Old Oak Common in the London Borough of Hammersmith and Fulham to a junction with the Channel Tunnel Rail Link at York Way in the London Borough of Islington and a spur from Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes

2. The Bill is presented by Mr Secretary McLoughlin, supported by the Prime Minister, the Deputy Prime Minister, Mr Chancellor of the Exchequer, Secretary Theresa May, Secretary Vince Cable, Secretary Iain Duncan Smith, Secretary Eric Pickles, Secretary Owen Paterson, Secretary Edward Davey, and Mr Robert Goodwill.

3. Clauses 1 to 36 set out the Bill’s objectives in relation to the construction and operation of the railway mentioned in paragraph 1 above. They include provision for the construction of works, highways and road traffic matters, the compulsory acquisition of land and other provisions relating to the use of land, planning permission, heritage issues, trees and noise. They include clauses which would disapply and modify various enactments relating to special categories of land including burial grounds, consecrated land, commons and open spaces, and other matters, including overhead lines, water, building regulations and party walls, street works and the use of lorries.

4. Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.
5. Clauses 43 to 65 of the Bill set out a number of miscellaneous and general provisions, including provision for the appointment of a nominated undertaker ("the Nominated Undertaker") to exercise the powers under the Bill, transfer schemes, provisions relating to statutory undertakers and the Crown, provision about the compulsory acquisition of land for regeneration, reinstatement works and provision about further high speed railway works. Provision is also made about the application of Environmental Impact Assessment Regulations.

6. The works proposed to be authorised by the Bill are specified in clauses 1 and 2 of and Schedules 1 and 2 to the Bill. They consist of scheduled works, which are described in Schedule 1 to the Bill and other works, which are described in clause 2 of and Schedules 2 and 3 to the Bill.

7. **Who is your Petitioner**

7.1 Your Petitioner is Twyford Cricket Club ("the Club") (acting by its Chairman, Roger Landells, its Vice-Chair, Richard Wade, and the club’s committee) in the district of Aylesbury Vale in Buckinghamshire.

7.2 Your Petitioner is a cricket club which runs 3 adult teams (all of which compete in the Cherwell League) and 4 junior teams (which compete at under 16, under 13, under 12 and under 11 age groups). The Club plays its home fixtures at Twyford Recreation Ground ("the Ground"), which lies adjacent to the proposed line of HS2.

8. **Your Petitioner’s concerns:**

8.1 There are provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and its rights and interests and for which no adequate provision is made to protect it. As outlined in this petition your Petitioner has substantial concerns.

9. **The impact of noise and specific measures**

9.1 The Club has read the petition presented by the Twyford Parish Council which covers the issue of the impact of noise etc on the community of Twyford (and its surrounding area) as a whole. The Club agrees entirely with the contents of that petition. The Club, in this
petition, sets out the specific adverse impact that HS2 will have on its operation as a cricket club.

9.2 The following paragraphs (9.3 to 9.9) repeat and adopt the contents of paragraphs 9.5-9.11 of the petition presented by the Twyford Parish Council on the issue of the impact of noise. The Ground is located at the northern end of Twyford and, as such, is closer to the proposed line than any of the properties referred to in paragraphs 9.3 onwards. For the reasons stated at paragraph 9.10 below the impact of the railway on the use of the Ground would be such as to render it unusable for its use as a cricket ground.

9.3 "The significant effect criteria recorded in Table 3 as OSV13-CO2 is defined in Table 5 as:—
"Approximately 10 dwellings in the vicinity of Grange Close and Church Street closest to the route and their associated shared community open areas (local playing fields with clubhouse). Forecast increases in sound from the railway are likely to cause a moderate adverse effect on the acoustic character of the area around the closest approximately five properties."

9.4 Your Petitioner considers that a maximum daytime level of 40 dB(A) and a night-time maximum level of 35dB(A) would be much more reflective of the prevailing conditions in the parish of Twyford and requests that the Promoter provide additional mitigation so that those standards are reached.

9.5 The World Health Organisation (WHO) regards 50dB day time noise level as the level that should not be exceeded to protect the majority of people from being moderately annoyed during the daytime. It also says that to protect the majority of people from being seriously annoyed, the day time level should not exceed 55dB. However, the WHO guidelines refer to a steady continuous noise which HS2 certainly is not.

9.6 The WHO says that most countries in Europe have adopted 40dB as the maximum allowable for new developments whenever feasible. The WHO states that for the primary prevention of subclinical adverse health effects related to night time noise in the population, it is recommended that the population should not be exposed to noise greater than 40dB of L night outside the residential property during that part of the night when most people are in bed.

9.7 It is the opinion of your Petitioner from the evidence set out in the Environmental Statement that the mitigation proposals are insufficient to protect your Petitioner from the increase in noise levels that are predicted.

9.8.0 Your Petitioner respectfully suggests that the following measures taken as a package would improve the position of those residences within your Petitioner's parish.
9.8.1 Move the line further away from the village of Twyford as described elsewhere in Your Petitioner’s submission.

9.8.2 Reduce the speed of the trains as they pass the village. Speed reduction will not only significantly reduce the noise but also allow greater route flexibility to avoid village blight.

9.8.3 Increase the height of the bund to above the pantograph level as this will inevitably reduce the overall noise levels.

9.8.4 Your Petitioner notes that the height of the bund is not stated in the Environment Statement but it is assumed to be the same level as the sound wall at 5 metres above track level. This is evidenced by the photomontage taken from the land adjacent to St Mary’s House.

9.8.5 OR Preferably, lower the track level. If the track level is lowered, and assuming that the bund is maintained at its proposed height, it will reach nearer to the pantograph level and hence be more effective at reducing noise. Lowering the track has, in your Petitioner’s humble opinion a benefit to be carried over to the neighbouring parish of Chetwode.

9.8.6 Plant trees along the old Great Central Railway footprint in the first year of construction such trees to be of native species such as black poplar, oak, birch etc. to provide an additional sound barrier that will have time to grow before the operational phase is attained. Your Petitioner would welcome such a step as early planting could have a benefit in respect of the reduction of dust and air pollution during the construction phase.

9.8.7 If further mitigation measures are not forthcoming, then your Petitioner would expect that an undertaking be given that the actual noise emissions do not exceed that which HS2 Ltd predict in SV-001.000.

9.9 Your Petitioner is further concerned at the lack of noise mitigation to the northern side of the line throughout its length through the Petitioner’s parish. This will impact on both walkers using the reinstated footpaths to this side of the line as well as on the few number of properties within a few hundred metres of the line. Your Petitioner respectfully suggests that the omission of noise mitigation as described is addressed.

9.10 As stated at paragraph 9.2 above, the Club plays its matches at the Ground in Twyford. The environmental impact of both (1) the noise and (2) the sight of trains passing by the Ground at close proximity will provide such a level of distraction that it would render the Ground useless for any proper form of cricket. It should be noted that the Ground is set up such that wickets run in a north-south direction. The railway line would run right along the northern edge of the Ground, in other words directly behind the bowler. Depending upon
the frequency with which the trains are to run, this is likely to cause several and serial
disruptions and breaks in play. If an average of 28 trains run each hour (14 each way) this
could mean a total of approximately 180-200 stoppages during the course of a regular 100
ever match.

9.11 The Club plays its matches in the Cherwell League, which is a serious grade of cricket
for a village the size of Twyford. Moreover, the First XI currently plays in Division 1 of that
League. This is one division below the Home Counties League (in which clubs such as
Oxford, Amersham, Reading, Banbury, High Wycombe and Slough) participate. The
standard of cricket at this level requires that the facilities provided should be without the
distraction that would result from HS2.

9.12 Therefore, without proper steps being taken to mitigate the impact of the line, the
Club would be forced to look for alternative facilities.

9.13 The Club currently rents the Ground from the Parish Council under a bespoke
agreement. The Parish Council is not obliged to provide any alternative facility and so the
Club would have severe difficulty in finding somewhere to play matches. In short, the Club
would have to look to acquire land to convert into a cricket ground. The Club estimates,
conservatively, that the cost (in money terms) of doing so would be in excess of £1million.
That is a cost that is far beyond the means of Twyford Cricket Club and so, in all likelihood,
the Club would cease to exist. This will have a terribly adverse effect on the community –
the Club being an integral and thriving part of it both for adult players and juniors (in 2014
the junior section of the club numbers some 80 plus players).

11.0 The impact of failure to define compensation

11.1 Your Petitioner objects to the compensation currently omitting local betterment
provisions that will replace and avoid loss of the Ground (which is also Twyford's only public
open space) should inadequate mitigation lead to the cessation of sport (see section 1
above) and by local children and parishioners generally, on this site due to excessive noise.
Your Petitioner expects that the Promoter undertakes to deliver, at its expense, an
alternative site of a similar, or larger area and dimensions prepared to the same standard
within a reasonable distance in the parish within a timeframe that would enable activities to
continue in an uninterrupted manner should this situation seem likely to manifest itself.

12.0 Your Petitioner's Conclusions

12.1 The Club has read the petition presented by Twyford Parish Council (which is the trustee
and custodian of the Recreation Ground) and it agrees and supports the conclusions set out in
that petition. The Club wishes to add to those conclusions the specific concerns raised in
this petition and upon the impact of HS2 on the activities of the Club, which is such that it is likely to render the Ground unusable for any proper form of cricket thereby leading to the likely demise of the Club.

12.2 In particular the Club notes (and supports) Twyford Parish Council’s request that, should the ground become unusable permanently, or for a period exceeding one year, at whatever stage in the construction and operational periods that the promoter be required to source, finance and develop an alternative facility of similar or better condition within the village envelope. For example, on land available by virtue of the acquisition of Twyford Mill.

YOUR PETITIONER therefore humbly pray your Honourable House that the Bill may not be allowed to pass into law as it now stands and that they may be heard by their Counsel, Agents and witnesses in support of the allegations of this Petition against so much of the Bill as affects the property, rights and interests of your Petitioner and in support of such other clauses and provisions as may be necessary or expedient for their protection, or that such other relief may be given to your Petitioner in the premises as your Honourable House shall deem meet.

The petitioner therefore asks the House of Lords that 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.

Signed,

Richard Wade
Vice-Chair, Twyford Cricket Club, Bucks

For and on behalf of Twyford Cricket Club by whom I am duly authorised to sign this Petition

Dated: 18 April 2016
To the House of Lords
Session 2015-2016

PETITION against the

High Speed Rail (London - West Midlands) Bill

THE PETITION of BERKSWELL PARISH COUNCIL

Declares that

The Petitioner is specially and directly adversely affected by the whole Bill, particularly
Clauses 1 - 3 (Works), Clauses 20 - 24 (Planning), Clauses 25 - 36 (Deregulation), and
Clauses 60 and 61 (Deposited plans and sections).

Your Petitioner

1. Your Petitioner is Berkswell Parish Council, the council of the Parish of Berkswell
situated in the Metropolitan Borough of Solihull.

2. The predominantly rural Parish has a population of just over 3000 residents living in
the eastern part of the large settlement of Balsall Common, the village of Berkswell,
and several small settlements and hamlets. The area has medieval landscape, formally
being part of the Forest of Arden, and has a significant inventory of heritage assets, a
vibrant community and a demonstrable sense of place.

3. The Parish is the most easterly part of Solihull Borough, sharing a boundary with the
City of Coventry. It is located in the green belt, in what is known as the "Meriden
Gap", which is an open green interval separating the Cities of Birmingham and
Coventry. Local and regional planning policy has sought to preserve this Gap over
the past few decades, to ensure the major cities remain defined and separate. The Gap
forms a corridor between Chelmsley Wood and Coleshill, between Bickenhill and
Meriden, and (at its narrowest point) between Balsall Common and Tile Hill.

4. The proposed route of Phase One of High Speed 2 extends for 7 km through the
Parish, largely overground by way of a series of viaducts. The length of the route in
the Parish constitutes is half of the total within Solihull Borough. The proposed
Scheme crosses the Rugby and Birmingham Railway at Berkswell Station - close to
the area of the Parish with the highest concentration of housing.

Your Petitioner's concerns

5. Your Petitioner is profoundly concerned about the bisection of the Parish by the
proposed route of HS2. All of the residents of the Parish will be deeply affected by
major disruption during construction and by the visual and noise intrusion of the
Scheme. Furthermore, roads will be diverted and traffic levels increased; footpaths
and bridleways will be rendered unattractive, inconvenient, and unusable; farms and
wildlife will be devastated; and the rural amenity of the Meriden Gap significantly
harmed. The greenfield surface route proposed for the Scheme would inflict
irreversible adverse change on the Parish as a whole, as well as on individual members of the community.

6. Your Petitioner accepts that construction and operation of the proposed railway will adversely affect the Parish, but considers the powers proposed and the extent of land acquisition go considerably further than is necessary and impose too great an impact on a small community. Your Petitioner considers that some of the adverse impacts on the Parish could be avoided through amendments to the Scheme, and that there are ways to improve the mitigation of the impacts that are unavoidable.

7. Your Petitioner is unable to support the Bill in its current form, and objects to the Bill for the reasons, amongst others, stated in this petition. Your Petitioner's concerns in relation to the interests of the Parish can be grouped under the following headings:
- Reduction of impacts by use of more tunnelling
- Visual intrusion of the Scheme
- Noise impacts
- Engagement between the Promoter and the community
- Impacts of the Scheme on local roads
- Impacts on public access to the countryside
- Impacts of the Scheme on woodlands, habitat, and wildlife
- Impacts on agriculture
- Impacts on water resources and flooding
- Impacts on cultural heritage
- Impacts on the community
- Impacts of the construction works

Reduction of impacts by use of more tunnelling

8. Your Petitioner considers that the majority of its concerns relating to construction disruption, visual, landscape, noise and ecology could be addressed by more extensive use of tunnelling. Your Petitioner considers that the significant detriment to the special nature of the land surrounding the Parish could be mitigated by way of undergrounding the proposed alignment comprising Work No. 2/146 and Work No. 3/1, from south of Burton Green to a point to the north of Balsall Common.

9. The extended tunnel would substantially mitigate the impacts of High Speed 2 on the rural communities in the Parish, as well as on the green belt Meriden Gap. Whilst your Petitioner appreciates that more tunnelling might impose an additional cost on the Promoter, it is the view of your Petitioner it should be balanced against the cost to individuals, to the community and to regional and national economic interest.

10. Protection of the green belt, particularly in this sensitive area, would provide far greater community, ecological and landscape benefits in the long term for future generations than the additional costs of providing the Proposed Tunnel. Furthermore, avoidance of the severance and visual intrusion in this sensitive landscape would prevent closure and urbanisation of the key strategic Meriden Gap.

Berkswell Parish Council
11. Your Petitioner also considers that when a change to the Scheme in the Bill is justified on the merits, it is no answer for the Promoters to say that such a change should be resisted because it goes beyond what is provided for in the Bill. It is the Promoters, not those affected, who have chosen what to put in the Bill and, if they have got that wrong, they should now accept the change. In addition, given that the Promoters have already indicated that changes to the Scheme will be necessary, your Promoters consider that the proposed tunnel could also be put forward as a change.

12. Your Petitioner therefore seeks a commitment that a full assessment of options for a tunnel, extending from north of Balsall Common to south of Burton Green, taking account of the ready availability of landfill in nearby areas, be undertaken, including a full cost benefit analysis and consideration of the environmental impacts; that the Promoter will work with your Petitioner to develop the results of the assessment; that an appropriate tunnel option will be implemented to reduce the environmental impacts of the Scheme to an acceptable level; and that if the assessment does not show the construction of a tunnel should be implemented, the Promoter will work with your Petitioner to implement the many alternative means of mitigating the impacts of the Scheme on the Parish.

Visual intrusion of the Scheme

13. Your Petitioner considers that the height of the proposed Balsall Common Viaduct will cause major visual intrusion in the area around Truggist Lane. The elevation of the rails above Truggist Lane would be 9.51 m, to which must be added the height of the noise attenuating barriers and overhead line equipment. The impact on the rural landscape will be invasive and unacceptable. Your Petitioner seeks a commitment from the Promoter that the visual impact of the viaduct and noise barriers will be reduced by using an alternative design, such as a through-truss structural design with integral side walls above the tracks rather than a box structure beneath them, and that the height of the rails will be significantly reduced, and by styling them so that they blend with their localities.

14. The proposed Scheme includes on Work No. 3/1 a Rail Underbridge over the Rugby and Birmingham Railway at Truggist Hill. The structure would have a span of 48 metres and an elevation of 9.69 metres, giving a clear height of 6.91 metres. The Section diagram provided by the Promoter shows that this structure would set the elevation of a long section of the proposed railway, and thus contributes greatly to the visual intrusion and noise radiation. The railway would be supported by a box structure beneath the tracks, and derive no structural strength from the noise barriers, which would be an essential part of the Scheme because of the nearness of noise receptors. Your Petitioner similarly contends that the visual mass of the bridge and its noise barriers and overhead line equipment could be reduced by integrating the barriers into the structure, and therefore seek a commitment from the Promoter that the elevation of the Rail Underbridge be reduced to 8.2 metres with no permitted upward deviation.

15. The Scheme includes overbridges that fall within the Parish at Waste Lane, Lavender Hall Lane, and Mercote Hall Lane that are of an intrusive nature. Your Petitioner is concerned that the viaducts and other infrastructure associated with High Speed 2 do not properly respect the environmental character of the Parish and are designed to be purely functional rather than sympathetic to their surroundings or iconic, as their status as part of a route providing a gateway to the West Midlands warrants. Your
Petitioners are concerned that the impact of the viaducts proposed under the Scheme and the material impact and visual intrusion they will have. In some instances the viaduct proposals have been shortened but the increased length of the embankment will also lead to increased severance and a different form of unacceptable visual impact and intrusion. This reflects the unacceptable overall impact of the railway on the community under the current proposals for it to be located at or above ground level on the currently proposed alignment.

16. The Environmental Statement proposes that the most appropriate material from which viaducts and structures should be constructed is concrete, while your Petitioner has a preference for the local style of architecture and local materials. The Environmental Statement notes that there is sensitivity in terms of visual impact and noise in the residential areas. Your Petitioner considers that viaducts in particular have major adverse effects in landscape terms in its Parish and that measures should be taken to ensure an appropriate quality of design in each case. Your Petitioner seeks an undertaking from the Promoter that a Design Manual will be agreed with each local planning authority to ensure the design of structures is of high quality, and supports the amendment to the Bill, tabled in the House of Commons, that would make the deemed planning permission for these structures dependent on approval by the relevant parish or town council.

17. The overbridge to be constructed on Lavender Hall Lane (work no. 3/5) would be a very large structure some 400 metres long and nearly 10 metres high, spanning both the proposed railway and Bayleys Brook. Your Petitioner therefore considers it essential that the architectural design of the Work be carefully detailed to suit the location and environment, with brickwork chosen to match the vernacular architecture. Your Petitioner seeks a commitment from the Promoter that the architectural design of Work No. 3/5 will sympathetic to its setting and will be subject to the approval of your Petitioner.

18. Substantial noise barriers are anticipated on sections of the proposed Scheme through the Parish. Including, for example, at the Beechwood Embankment, the Balsall Common Viaduct, and at Truggist Lane and Lavender Lane These barriers and overhead line equipment would exacerbate the visual intrusion of the high Beechwood Embankment. Your Petitioner seeks a commitment from the Promoter that the design of all the noise barriers and overhead line equipment that will be located within the Parish will be of a good standard, to be agreed with your Petitioner, with variations in finish to give visual interest and break up the linearity, that trees and shrubs will be planted along and around the embankment and viaduct columns, arranged irregularly and in depth to create a natural effect and that this planting will be done early in the construction phase following best practice guidance.

19. Your Petitioner is unconvinced by the explanation given and the conclusion drawn about the omission of viewpoints 285.2.002 and 285.2.003 from the original Environmental Statement maps. The omission of these viewpoints from the maps is fundamentally misleading. Your Petitioner considers that the impact on the views from residences along Riddings Hill and from Public Footpath M196 adjacent to residences on Barrett’s Lane will be more significant than the quoted moderate adverse effects, and are likely to be aggravated by the changed works envisaged in AP2. Your Petitioner disputes that the effects will be temporary, as the screening trees, which provide a degree of mitigation, are not within the control of the Promoter. Your Petitioner therefore requests that HS2 Ltd be instructed to issue
revised proposals for earlier and upgraded screening proposals to mitigate the visual intrusion of the railway during construction and operation, and where there are serious residual unmitigated adverse effects, to agree meaningful offset and long-term compensatory measures with local communities.

20. The proposals to add two roundabouts on the A452 (see paragraphs 45 and 49 below) include the installation of street lighting along this whole section of dual carriageway, which, it is admitted, will increase urbanisation within the rural context. Your Petitioner is also concerned that the A452 Overbridge would be furnished with carriageway lighting, and that stray light could cause disturbance and detract from the local amenity. Given the increasing adoption of driver-assistance technology that is not dependent on street lighting, your Petitioner finds no need for the intrusion and loss of amenity caused by street lighting within this rural area, and seeks an undertaking from the Promoter that the proposal for lighting will be withdrawn, and that any carriageway lighting provided on or near the A452 Overbridge during construction, or added later, will be designed to minimise light spillage beyond the carriageways, and will be subject to the approval of both Berkswell and Hampton-in-Arden Parish Councils, and of local amenity groups.

21. Your Petitioner seeks a commitment that the Promoter will significantly increase the proportion of open viaduct structure in the A452 embankment, Work No. 3/9, to reduce the solidity of the embankments which would be of a significant detriment to the landscape, groundwater, and wildlife.

22. It is evident from the Environmental Statement that the Promoter now proposes to enlarge the balancing pond behind the cottages in Marsh Lane proposed initially. Your Petitioner is disappointed that the Promoter has failed to respond to earlier representations that pointed out a water feature of this size would be incongruous with the area, would expose residents to nuisance from mosquitoes and other water-breeding insects, and present a hazard for young children. Your Petitioner seeks an undertaking from the Promoter that the balancing pond will be changed to move it away from dwellings, and that the necessary volume will be divided between smaller ponds distributed along the line.

23. Your Petitioner welcomes the proposals to plant trees and shrubs for landscape mitigation around the intrusive A452 and Mercote Hall Lane Accommodation Overbridges and embankments. However, your Petitioner considers that the proposed screening would be incomplete, and that further plantings are needed to screen Work No. 3/1 between Sixteen-Acre Wood and Bayleys Brook. The Promoter also proposes to thin the screening planting around the balancing pond at Marsh Lane. Your Petitioner seeks an undertaking from the Promoter that trees and shrubs of sufficient height will be planted all around these Works, arranged irregularly and in depth to create a natural effect, that this planting will be done early in the construction phase following best practice guidance, and that the Promoter will make enduring agreements to provide ongoing care and maintenance.

24. The Promoter proposes change the access road to the Bradnocks Marsh Auto-transformer Station to run from Marsh Lane rather than the Bradnocks Marsh roundabout. Your Petitioner seeks an undertaking from the Promoter that the Auto-transformer will be relocated about 400 metres north-west, to a less intrusive location on lower ground adjacent to the viaduct near Marsh Farm, that loss of trees from Sixteen-acre Wood will be minimised, that the Auto-transformer will be fully
screened by plantings, that these plantings will be done early in the construction phase following best practice guidance, that the Promoter will make enduring agreements to provide on-going care and maintenance, that the material stockpiles will not be located in the fields by the Bradnocks Marsh roundabout, and that a containment barrier will be provided around the perimeter of the Bradnock Auto-transformer Station to retain any spillage and pollution.

25. Your Petitioner understands that there is no requirement for an electrical supply to the Bradnock Auto-transformer Station, but due to the potential severe visual intrusion, your Petitioner seeks a commitment from the Promoter that there will be no above-ground wires or cables to the Auto-transformer Station, and that the future operator of the Auto-transformer Station will be required to place underground any future wires or cables to the Auto-transformer Station.

Noise impact

26. The noise impacts on residents of the Parish, from construction and operation of the Scheme, are of major concern to your Petitioner. Construction and railway noise are particularly noticeable in rural areas, and the impact on the community of the works should not be under-estimated. Your Petitioner urges that the Promoters be put to the strictest proof that their noise assessments are accurate, that they have adopted the best and most appropriate standards, that these have been applied correctly, and that adequate provision has been made in all cases to avoid or, insofar as that is impracticable, to mitigate and compensate for the adverse effects.

27. Your Petitioner supports the amendment tabled in the House of Commons that would set a statutory limit on noise from operation of the Scheme. Regrettably, the Promoter has not offered a system to regulate operational noise and vibration levels from the trains, and the desire to operate the railway at up to 400 km/hour has dominated the choice of route and the design of the proposed works. Even where the railway would be in a cutting, residential and commercial properties are close by, and residents and business in, for example, Waste Lane, Old Waste Lane, Hodgetts Lane, Truggist Lane and Station Road are likely to be exposed to significant disturbance. Users of public rights of way would also be significantly harmed by noise impacts. For example, the reinstated Kenilworth Greenway is used as a vehicle-free route for walkers, cyclists, and equestrians between Berkswell Station and Kenilworth. Horses that become startled could be a serious safety risk.

28. The Promoter has not taken any steps to demonstrate what disturbance the Scheme would cause to residents, visitors, businesses, and animals close to the proposed route, nor has the Promoter done development work to reduce the noise generated by the trains to the lowest practicable level, and nor has the Promoter conducted any trials to prove the level of mitigation that might be afforded by various measures. Because train characteristics and noise mitigation measures will deteriorate over time, and will be influenced by environmental conditions, your Petitioner contends that actual measurement is the only way to control the noise nuisance. Having considered the recommendations of the World Health Organisation for acceptable noise levels in various situations, and having noted the Promoters' acceptance of the Channel Tunnel Ruil Link method for the decline of noise level with distance, your Petitioner considers the level given in the amendment tabled in the House of Commons to be reasonable, and seeks a commitment from the Promoter that noise will be controlled along the whole length of the proposed railway within the Parish to ensure that the
maximum peak noise level from the passage of a train will not exceed 60 dBA at a distance of 200 metres from the line, that properties exposed to a higher noise level will be provided with sound insulation and air-conditioning to reduce the interior maximum noise level from the passage of a train to no more than 45 dBA, and that the Promoter will certify that noise levels are safe for the riding and leading of horses.

29. Where public footpaths would run closer than 200 metres to the railway, for example public footpath M216, your Petitioner believes that compliance with the limit given in paragraph 28 would give tolerable exposure to the rapid-onset noise for pedestrians. Your Petitioner believes the peak level would be about 75 dBA close to the proposed railway, and seeks an undertaking from the Promoter that noise barriers would be provided if necessary to achieve this level, that any barriers be designed to tone in with the natural environment, and that a good standard of screening foliage will be provided and maintained.

30. To enforce the proposed noise limit, your Petitioner seeks a commitment from the Promoter that a procedure to standardise observation of the noise from the passage of a single train will be set, that fixed noise monitoring stations will be installed and operated at regular intervals along the route, that a system of spot-checks using portable noise monitors will be undertaken, and that a penalty charge will be exacted on the operator of any train that fails to comply with the noise limit, as happens at our local airport.

31. Further, your Petitioner does not consider that the Promoter has undertaken a sufficient noise assessment in relation to the impact the Scheme will have on the Parish community. A significant number of residential and commercial properties are located within 200 metres of the proposed alignment and due to the open nature of the land surrounding the Parish, there is little in the way of natural barriers to such noise. The noise impacts are likely to have a severe impact on the health and well-being of such local residents affected. Your Petitioner is concerned that the noise levels used by the Promoter to determine the need for mitigation are in excess of the baseline noise levels recorded for the rural areas within the Parish in the Environmental Statement.

32. Noise caused by nocturnal maintenance is of significant concern to your Petitioner. Processes to maintain track alignment and quality will be required frequently, and are known to be noisy. There will also be vehicle movements and the handling of heavy loads. Your Petitioner seeks a commitment from the Promoter that the operators of the railway will be required to keep noise barriers in place during maintenance work, and that residential properties will not be exposed to a nocturnal maximum noise level greater than 60 dBA or a continuous-equivalent noise level greater than 40 dBA.

33. Your Petitioner does not agree with the reassessment that Little Beanit Farm no longer warrants insulation from operational noise, particularly as it is badly affected by construction noise and could be insulated for that purpose. Your Petitioner is concerned that corrected information shows that different properties on Waste Lane will now be exposed to excessive noise levels from construction activities for at least 12 months. Your Petitioner seeks an undertaking from the Promoter that there will be individual assessments of the noise insulation needs of residential properties in the Parish, that construction routes will be re-evaluated to minimise noise at residential properties, and that noise insulation will be provided to the satisfaction of the householders.
34. Your petitioner does not understand the rationale behind increasing the elevation of the proposed railway south-east of Waste Lane, and is concerned this will increase operational noise unnecessarily and will increase visual intrusion. This change is not reflected in the deposited Section of Work No. 2/146 because it is within the declared Limits of Deviation. Your Petitioner asks that this change be not made.

35. Your Petitioner therefore seeks a commitment that the Promoter will include the effects of noise pollution in its assessment of a tunnel in this area (paragraph 8 above) when balancing the need for the tunnel against the cost, and that the Promoter will consult with your Petitioner in relation to suitable and additional means of mitigation for the noise impacts on the residents of the Parish, on livestock, and on local wildlife.

**Engagement between the Promoter and the community**

36. Your Petitioner appreciates the comments made by the Select Committee in the House of Commons encouraging the Promoter to work more closely with affected communities to achieve improved understanding and mitigation. However, some 18 months after your Petitioner was heard by the Committee, your Petitioner is disappointed that there have been no meaningful discussions.

37. Your petitioner is also disappointed that the Promoter has tended to engage on some issues with a single petitioner, rather than meet with all those who have expressed concerns on a matter. Your Petitioner would respectfully draw attention to the First Special Report of Session 2014–15 of the Bill Select Committee, HC 338, published 26 March 2015, wherein your Petitioner notes several references to Petition no. 224. However, your Petitioner considers that the Promoter failed to provide full background information, and your Petitioner and local residents were obliged to deposit objections to the local Planning Authority. Your Petitioner seeks an undertaking that the Promoter will be diligent and provide full information on matters that could give rise to Planning Applications, and that other interested parties will be consulted.

**Impacts of the Scheme on local roads**

38. Your Petitioner is concerned about the high volume of construction traffic that will pass through the Parish, and submits that the Promoter should be required to use every endeavour to utilise rail, air, river and canal for transport purposes. The Promoter and nominated undertaker should confirm the numbers and type of vehicles on specific routes and assess impacts accordingly, particularly cumulative impacts. The nominated undertaker should also be required to minimise the cumulative impact of lorry movements by properly managing lorry movements, keeping the number of movements to a minimum, using the strategic road network and confining movements to normal worksite hours. Further, your Petitioner seeks an understanding that the Promoter will invest in studies of unconventional means of construction transport, such as by air, and quantify the reduction in the environmental impact thereby, and that the nominated undertaker will be directed to use unconventional means for the transport of materials and equipment to reduce the impact on the community and environment.

39. Your Petitioner is concerned that a number of construction routes identified in the Environmental Statement include roads considered by your Petitioner as inappropriate for haulage use, including: the B4101 (Waste Lane and Kelsey Lane), the A452, Station Road, Hallmeadow Road, Truggist Lane, Hodgett's Lane, Lavender...
Hall Lane, and Park Lane. The character and construction standard of these roads is in your Petitioner’s view inappropriate or insufficient to accommodate the levels of construction traffic associated with High Speed 2 and the use of these roads as construction routes would cause serious harm to the safety, health and convenience of the residents in the vicinity as well as the road users. Waste Lane is the only route suitable for large vehicles between Balsall Common and Coventry. This road is used by buses that provide an essential service for shops, schools, work, and leisure. Your Petitioner therefore seeks a commitment that the roads listed above will not be used as construction routes and that the Promoter will construct a dedicated construction haul route from the Park Lane Compound on, or parallel to, the line-of-route, toward Burton Green. Further, the Promoter should agree that local roads will only be used as construction haul routes if and to the extent that use of the dedicated route alignment for that purpose is not practicable.

40. The proposed Scheme includes traffic restrictions as well as road closures at off-peak times, and overnight, for a twelve-month period. This would impose unacceptable inconvenience, loss, and risk to residents and other travellers. The complete closures should be avoided if at all possible, and the programme of restrictions needs to be publicised and followed closely in order to minimise the impact on local residents. Your Petitioner seeks a commitment from the Promoter that the nominated undertaker will be required to give adequate advance publicity of closures and restrictions on Waste Lane, and that times and duration of all closures and restrictions shall first be approved by your Petitioner.

41. Your Petitioner is concerned that the 12-month closure of Lavender Hall Lane proposed by the Promoter would cause major inconvenience and loss for residents and businesses. Lavender Hall Lane is a principal communication route between Berkswell and the A452 trunk road and Balsall Common. Your Petitioner seeks a commitment from the Promoter that closure of the Lane will be kept to the absolute minimum, and that disruption will be regulated.

42. Your Petitioner objects to the Promoter’s proposal for temporary closures of Truggist Lane during the construction period. This would cause major inconvenience and economic loss for residents and local businesses, and would divert traffic onto other local roads with further adverse affects. Your Petitioner seeks a commitment from the Promoter that closure of Truggist Lane will only be sanctioned in exceptional circumstances, and that alternative measures would be implemented wherever possible.

43. The proposed Scheme includes provision to replace the existing bridge carrying Waste Lane over the Kenilworth Greenway with an overbridge, spanning both the Greenway and the proposed railway. Because the new bridge will be more than 2 metres higher than the existing one, and because it will have a more gentle profile, pedestrians will be less visible and more exposed to faster vehicles. Your Petitioner is concerned that, without a footway, pedestrians will have an increased risk of injury or death, and that users of Public Footpath M184 joining the carriageway from the south-east will be at special risk. Therefore, your Petitioner seeks a commitment from the Promoter that a footway to current design standards will be provided along Waste Lane over Work No. 2/186.

44. Your Petitioner considers that the proposed works in the area of Truggist Lane would prevent the access of large agricultural machinery to the land holding of Village

Berkswell Parish Council
Farm. Your Petitioner seeks a commitment from the Promoter that an alternative access route for agricultural machinery to the Village Farm holding will be created and kept open during the construction period, and that the alternative access will be closed afterwards and restored fully to its original form and appearance.

45. Your Petitioner noted the intention of the Promoter to remove the temporary roundabout at the junction of Park Lane and the A452 Kenilworth Road, when construction of the Scheme was complete. However, the Promoter now proposes to retain it. The Promoter concedes that this will increase vehicle traffic on Park Lane, and have a new moderate adverse significant effect due to traffic-related severance for non-motorised users. Principally, this will affect walkers on the Heart of England Way, Public Footpath M214. However, there is a concern that the traffic impact is under-estimated, in that the route will become attractive, in both directions, to longer-distance commuters going toward Coventry. The Promoter does not identify any beneficial effects from the change. There will be a considerable loss of visual amenity due to the roundabout itself, a balancing pond and maintenance access, lighting columns and light pollution, and signage. There will also be an adverse effect on air pollution, carbon emissions, and road safety, since the great majority of vehicles on the A452 will have to negotiate the roundabout to no benefit.

46. The Promoter has offered various options over the years for restoring access on Park Lane and Lavender Hall Lane, but your Petitioner believes these are likely to increase through-traffic to the detriment of residents and non-motorised users of the Lanes, fail to improve the connectivity between Berkswell village and Balsall Common, and fail to take account of the further works that will be required when the Rugby and Birmingham railway is upgraded to 4-tracks. Originally, the Promoter intended to construct a temporary roundabout at the junction of Park Lane and the A452 Kenilworth Road, and remove it when construction of the Scheme was complete. Removal would have alleviated the concerns of residents that it might encourage an increase in traffic flow in the narrow lanes leading to Berkswell, and would restore free flow of traffic on the main road; however, the Promoter now proposes to retain it. Your Petitioner considers these proposals will direct traffic through the constricted section of Lavender Hall Lane (past Lavender Hall and over the narrow bridge across the Rugby and Birmingham railway), and would cause severe intrusion on the residential properties, congestion, and delays. The proposed overbridge would damage the setting of the two listed buildings at Lavender Hall.

47. Your Petitioner has suggested a new road could be constructed close to and parallel to the constricted section of the current Lavender Hall Lane, and that public consultation should take place to see whether this would be more useful and acceptable in the long-term. This arrangement would minimise the disruption to residents due to road closures in the construction phase. Your Petitioner seeks an undertaking from the Promoter that there will be a comprehensive re-evaluation of the highway changes in the Park Lane / Lavender Hall Lane area to meet the needs of both the construction and operation phases of HS2, and that the temporary roundabout, Work No. 3/5B, will either not be constructed or will be removed after construction with full reinstatement of the landscape.

48. The proposed Scheme does not include provision for a pedestrian footway on the proposed new overbridge, Work No. 3/5, across the proposed railway, despite the humped profile of the road and the increase in traffic due to the combined flows from Park Lane and Lavender Hall Lane. As this is the main pedestrian route between
Berkswell and Balsall Common, it is essential that the overbridge be constructed to the highest standards of safety for all users. Your Petitioner seeks a commitment from the Promoter that a footway of adequate standard and width will be provided on the proposed overbridge, that Footpath M196 will have a junction with Work No. 3/5 that is convenient and safe for all path users.

49. The Promoter proposes to construct a second additional roundabout at the junction of the A452 with Marsh Lane and the Mercote Hall Lane trackway (which is also Public Bridleway M218). These proposals will result in changes to Works No. 3/9, 3/9A, 3/9B, and 3/9C, which are described in Schedule I to the Bill and the deposited Plans and Sections. However, no relevant revisions have been made to Schedule 1, Plan Sheet 3-004, or Section Sheets 6-007 and 6-008. Consequently your Petitioner has no dimensional information upon which to make an informed assessment of the affects of constructing a roundabout which is portrayed in the Environmental Statement map books as some 80 metres in diameter and constructed on a dual-carriageway having a 4% gradient. Your Petitioner does not believe the revised Works can be constructed within the Limits of Deviation permitted in Schedule 1 sub-paragraphs (1) and (2), and seek an undertaking from the Promoter that revised Plans and Sections of the relevant Works will be published and that your Petitioner will be afforded the opportunity to make further requests for relief from any injurious affects.

50. Your Petitioner has proposed an underpass at Marsh Lane would be a better solution to provide safe ingress and egress for Heavy Goods Vehicles using the adjacent Lincoln Farm café, and safe and convenient access for agricultural, cycle, and equestrian traffic to the track designated as Public Bridleway M218. The Highway Authority, Solihull Metropolitan Borough Council, recognised the safety and convenience issues of a roundabout by requesting an adjacent Pegasus crossing for equestrians, but no such crossing is proposed by the Promoter. Your Petitioner believes a roundabout at this location is inappropriate because of the topography, the configuration of the Work No. 3/9 bridge, horse and cycle traffic crossing the main route, inconvenience to the great majority of highway users by interruption of the traffic flow on the dual carriageway, and increases in noise and emissions pollution. Because of the small proportion of traffic entering or leaving the A452 at this point, your Petitioner believes there is no case for inconveniencing and endangering the great majority of road users. Your Petitioner notes also that the roundabout would extend the duration of works by 6 months, and have impacts on more properties.

51. The Promoter's Environmental Statement gives scant mention or assessment of any injurious affects of the proposed roundabout, for instance dismissing the delay to traffic as "not considered to be significant". Your Petitioner suggests a single-carriageway underpass would be sufficient for the small amount of traffic that crosses the main road, with the flow controlled by light signals. The signals could have the added function of providing priority to cyclists and equestrians. With slip-road connections to both lanes of the A452, this option would have a reduced footprint relative to a roundabout. Your Petitioner seeks an undertaking from the Promoter that a full evidence-based evaluation will be made of the junction options, that in evaluating a roundabout the additional mitigation requested (for example in paragraphs 21, 23, and 98) will be included, and that in evaluating an underpass, as discussed above, due weight will be given to the safety and convenience of non-vehicular users crossing the A452, to the flow of traffic on the main road, and to the other factors described in the foregoing paragraphs.
52. Notwithstanding the improvements to the junction design requested by your Petitioner, it is apparent that the extended and more indirect access from the A452 to the Lincoln Farm café will be to the detriment of users and trade of the café. There will also be serious inconvenience and loss during the construction phase. Your Petitioner seeks a commitment from the Promoter that all practicable steps will be taken to provide adequate signage to the Lincoln Farm café from the A452, and that an agreement will be negotiated with the proprietors to provide compensation for the impairment of the business during both construction and the long-term.

Impacts on public access to the countryside

53. Many Public Rights of Way in the Parish are proposed to be diverted, temporarily or permanently, along routes that are unsatisfactory, with harm to both the amenity and convenience of the routes. Some diversions are proposed parallel to the railway which will result in noise and associated aesthetic impacts, other diversions involve considerable additional distances which will discourage their use and disadvantage those now relying upon them. There is also a need for guaranteed design features and greater mitigation in a number of instances. The Kenilworth Greenway, which is actually a linear park rather than a right of way, is a major asset heavily affected by the Scheme. In your Petitioner’s view, much better outcomes could be achieved through proper public consultation. Particular issues of concern to your Petitioner are set out in the following paragraphs.

54. Public Footpath M187: This path is a permissive bridleway and one of the few cycle and equestrian access routes to the Kenilworth Greenway. Due to the reliance on outdated information, the Promoter has a false view of the most suitable diversion, and proposes that the path would join Hodgetts Lane just 60 metres from another path. Users would experience inconvenience, loss of amenity, and risk. Your Petitioner seeks an undertaking from the Promoter that Public Footpath M187 will be diverted along Work No. 2/182 and join Hodgetts Lane on its current alignment, that the path will be upgraded to a statutory Public Bridleway, that barriers will be provided as necessary to protect users from noise from the trains, and that the Promoter will certify that sound levels and sightlines at all points on the path are safe for the riding and leading of horses.

55. Public Footpath M186: The Promoter proposes to construct an overbridge, Work No. 2/184, across the railway and the Kenilworth Greenway to provide both agricultural access and to carry Public Footpath M186. The bridge is about 75 metres further north-west than the current bridge. Your Petitioner seeks an undertaking from the Promoter that the proposed diverted route north-east of the Greenway will be straightened, convenient connections provided between M186 and Work No. 2/182, that Work No. 2/184 will be constructed to ensure a convenient well-drained surface is kept available for walkers, that noise barriers will be provided to protect the public and the livestock, and that Work No. 2/184 will be designed to match the current structural style and will be constructed from, or clad with, original bricks salvaged from the demolition of the existing bridges.

56. Public Footpath M184: The proposed restored connection between the path and Waste Lane is a diversion of 50 metres which will be very inconvenient. Your Petitioner seeks an undertaking from the Promoter that a ramp, with a gradient of no more than 5%, will be provided up the embankment of Work No. 2/186 to link Footpath M184 to the realigned Waste Lane, and that the proposed access ramp

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between the Kenilworth Greenway and Footpath M184 at Waste Lane will be suitable for all footpath users, and that the screening foliage between the path and the Greenway will be restored in its present form.

57. Public Footpath M198: The proposed diversion of public footpath M198 would result in its prolongation by 575 metres (which constitutes nearly 50% of the total length), a significant loss of visual amenity and walking pleasure, and exposure to traffic hazards. Your Petitioner seeks a commitment from the Promoter that Public Footpath M198 will be diverted through the Beechwood Farm Accommodation Underpass, that ramped connection will be provided to the Kenilworth Greenway, and that a right of way will be created around the working area of Beechwood Farm.

58. Public Footpath M191 at Truggist Hill: The proposed Scheme includes the provision of an underpass for public footpath M191. However, the proposed diversion introduces extra direction changes and loss of amenity. Your Petitioner therefore seeks an undertaking from the Promoter that the underpass will be provided on the current alignment of public footpath M191 and that the path surface will be raised and consolidated above the level of the proposed floodplain storage area.

59. Public Footpath M197: The Promoter intends to introduce a zig-zag into the route of public footpath M197 which would result in a loss of amenity. Your Petitioner seeks a commitment from the Promoter that the underpass for public footpath M197 will be provided on an angle so that the current alignment is retained and that the path surface will be raised and consolidated above the level of the proposed floodplain storage area.

60. Public Footpath M191 at Lavender Hall: The Promoter has halved the length of the proposed Balsall Common Viaduct to 250 metres, and made a corresponding extension to the Lavender Hall Embankment. As a result, the line of Public Footpath M191, running west toward Lavender Hall, would be closed. Your Petitioner seeks an undertaking from the Promoter that an underpass will be provided on the current alignment of Public Footpath M191, that the path surface will be raised and consolidated above the level of the proposed replacement floodplain storage area, and that noise barriers will be provided to protect path users.

61. Public Footpath M196 at Lavender Hall: The Promoter proposes to introduce an unnecessary zig-zag into the path. Your Petitioner seeks a commitment from the Promoter that the proposed diversion of Footpath M196 will be made in a smooth continuous style to preserve the amenity of the path.

62. Public Footpath M214 ("the Heart of England Way"): The proposed Scheme will sever Park Lane. As a result, walkers travelling south-west on Public Footpath M214, the Heart of England Way, would have to make a substantial detour to return to Berkswell village along Lavender Hall Lane. Your Petitioner seeks a commitment from the Promoter that a short additional length of footpath will be created to link Public Footpath M214 to Park Lane on the Berkswell side of the proposed railway.

63. Public Footpath M214: The Promoter has reduced the proposed width of the bridge from 20 metres to 2 metres with a vegetated surface. However, the railway would be in a deep cutting 80 metres wide. Some path users, particularly lone females, would feel insecure in a confined space of this length. Your Petitioner seeks an undertaking from the Promoter that Work No. 3/5C will be constructed with a clear width of at least 5 metres, that noise barriers will be provided on the overbridge to attenuate
noise to an acceptable level, and that the design, colouring, and finish of the overbridge will be chosen to harmonise with its rural setting.

64. Public Footpath M215: The Promoter proposes to provide an overbridge, Work No. 3/7A with a width between parapets of 21.6 metres. However, the Right of Way would run square across the railway, rather than follow the alignment of the footpath, which is 30 degrees different, and is not centred on the current alignment of the path. Your Petitioner seeks an undertaking from the Promoter that Work No. 3/7A will be relocated 15 metres north-west to allow Public Footpath M215 to run diagonally across the bridge close to its current straight route, that barriers will be provided on the overbridge to protect path users from the noise of the trains, and that the noise barriers will be designed to harmonise with the rural environment.

65. Public Footpath M216: The proposed Scheme would sever the footpath in the Sixteen-Acre Wood. The proposed new sections of the path would have reduced convenience and amenity. Your Petitioner seeks a commitment from the Promoter that the section of Public Footpath M216 running west-north-west in Sixteen-Acre Wood will be diverted as proposed for some 300 metres, but only to the north edge of the Wood, that the path will then be diverted generally westwards across Bayleys Brook and beneath the proposed railway in an underpass tunnel at the north edge of the Wood, that the path will then resume a west-north-west heading to cross the open field for some 100 metres to rejoin its existing alignment, and that attention will be given to the levels and surfaces to ensure adequate drainage and convenient walking conditions.

66. It appears the section of Marsh Lane to the east of the A452, carrying Public Footpath M216, is now to be elevated as it approaches the A452. This will inconvenience users of the lane and impair the property Marsh Cottage. Your Petitioner seeks an undertaking from the Promoter that a Plan and Section of the planned Work will be published and that your Petitioner will be afforded the opportunity to make further requests for relief from any injurious affects that become apparent.

67. The Promoter proposes that a new access track to the Bradnocks Marsh Auto-transformer Station should run around to the north of Marsh Farm, crossing the proposed diverted route of Public Footpaths M216 and M217. Your Petitioner seeks an undertaking that a pedestrian right of way will be created along the realigned access route to the Bradnocks Marsh Auto-transformer Station from Marsh Farm to its junction with the main road or diverted Bridleway M218, and that the proposed diverted routes of Public Footpaths M216 and M217 will be re-examined accordingly, giving priority to public amenity and convenience.

68. Public Footpath M217: Your Petitioner considers that the part of public footpath M217 on the west side of the proposed Scheme heading toward the A452 road and Bradnocks Marsh should do so as directly as possible to lessen exposure to the sight and sounds of the proposed railway on one side, and the A452 dual-carriageway on the other. Your Petitioner seeks a commitment from the Promoter that Public Footpath M217 west of the Scheme will be diverted to make a convenient route to Bradnocks Marsh and the vehicle lay-by on the A452.

69. Public Footpath M217: The Promoter proposes to divert Public Footpath M217 east of Marsh Farm in a loop to the north so it can pass under the Marsh Farm Viaduct where the proposed railway, Work No. 3/1, would cross Bayleys Brook. Your Petitioner contends that the diversion would be inconvenient and destroy the amenity
of the route. Your Petitioner seeks a commitment from the Promoter that Public Footpath M217 will be diverted in a south-easterly direction from a point about 120 metres south of its crossing of Public Bridleway M218, following the edge of Coronation Spinney, then south-south-westerly direction for some 200 metres to join the diverted Public Footpath M216 and cross Bayleys Brook, and that the part of this latter section that traverses marshy ground will be constructed as a boardwalk that connects to the bridge over the Brook.

70. Public Bridleway M218: Your Petitioner considers that the proposed diversion will be inconvenient and significantly harm the amenity of bridleway (see paragraph 50 etc.). The Promoter has made no provision for the safe crossing of the main road by bridleway users, as requested by the Highway Authority. Your Petitioner seeks a commitment from the Promoter that Work No. 3/9A will be revised so that, after crossing the proposed railway westwards, the track will descend to an underpass under the A452 close to the current termination of the track, and that convenient private vehicular and public bridle access will be maintained throughout the construction period.

71. Public Bridleway M218: Your Petitioner is disappointed that there is no explanation for the change to Work No. 3/9A to widen the bridge to make two segregated lanes, one of which would carry the Public Bridleway. Given the little traffic that uses this trackway, your Petitioner doubts there is a good justification for widening the bridge by 3 metres and more, with the additional land take, visual impact, and cost. Your Petitioner seeks an undertaking from the Promoter that Work 3/9A will be constructed to the current width of the trackway.

72. Kenilworth Greenway: Your Petitioner is concerned that the temporary use of the Kenilworth Greenway by construction traffic during the construction phase could cause irreparable damage to the structure, drainage system, culverts, embankments, flora, and fauna and the unnecessary felling of trees. Because of the length of time taken for trees to reach maturity, there would be significant loss of landscape amenity if trees are felled or damaged. The community would experience major inconvenience and loss of amenity. The Promoter has responded by saying a full structural survey will be undertaken, followed by appropriate strengthening. Your Petitioner considers a temporary parallel haul route could be created and used instead. Your Petitioner seeks an undertaking from the Promoter that the Kenilworth Greenway will not be used for construction traffic other than in exceptional circumstances, that the felling of mature trees along the Kenilworth Greenway will only take place if essential for the passage of equipment, that the root systems of all the Greenway trees will be effectively protected throughout the construction operations, that damaged or felled trees will be replaced early in the construction phase following best practice guidance, that a clear specification for restoration works and replanting will be agreed in advance with the Greenway Trust and local councils and amenity groups, and will be implemented satisfactorily, and that the Promoter will make enduring agreements to provide on-going care and maintenance of replacement trees.

73. Temporary Kenilworth Greenway: The Promoter has changed the route of the temporary cycle- and bridle-way, Work No. 2/1838, so that it runs along Waste Lane for about 40 metres, but has not revised the loop that would cause it to run alongside the Cromwell Lane Satellite Compound. Your Petitioner seeks an undertaking from the Promoter that the temporary route of the temporary cycle- and bridle-way along
Waste Lane will be segregated from vehicle traffic to ensure the safety of users, and an amendment so that it runs across the field south-west of the Cromwell Lane Satellite Compound in a continuous line.

74. Kenilworth Greenway: The Promoter proposes to replace more than 1.5 kilometres of the Kenilworth Greenway with a substitute route, which has ramps up and down where it runs above the Burton Green Tunnel. The Highway Design Manual gives a preferred maximum gradient for mixed use of 3%. This would mitigate safety issues, the icing risk, and the probability of extra wear to the surface. Your Petitioner asks that the maximum gradient of the reinstated Kenilworth Greenway be reduced to 3%, and that future operators of the proposed railway will pay the owners of the Greenway any costs involved in keeping the inclined sections in good condition and free of ice.

75. Kenilworth Greenway: Near the electrical sub-station at Burton Green, the replacement Greenway would run by a section of the proposed railway in a cutting with graded earthworks. The Promoter refers to "improved mitigation earthworks". Your Petitioner seeks an undertaking from the Promoter that there will be proper screening to ensure horses on the reinstated Kenilworth Greenway will not be startled by sudden-onset noise or the sight of fast-moving trains.

76. Kenilworth Greenway: The Greenway crossing of Cromwell Lane was very unsatisfactory in the original scheme, and your Petitioner is pleased that the Promoter has acceded to requests for an underpass. Your Petitioner seeks an undertaking from the Promoter that the underpass will be designed, built, and certified by the Promoter to be fully suitable and safe for horse-riders, cyclists, and pedestrians.

77. Kenilworth Greenway: At Waste Lane, your Petitioner considers the Promoter’s proposal for Public Footpath M184 are inadequate and there is insufficient room for noise barriers and the planting of trees and shrubs where the path runs parallel to the Greenway. Your Petitioner seeks an undertaking from the Promoter that adequate space will be provided for an effective noise barrier and the planting of foliage to conceal the barrier between the areas with public access and the proposed railway.

78. Kenilworth Greenway: The Promoter is offering to create access to the Kenilworth Greenway from Station Road at Berkswell Station, but no details have been made available of the proposed Work. It is proposed to divert Public Footpath M196 laterally by a small distance onto this new way, and this will resolve an unauthorised obstruction. Your Petitioner seeks an undertaking from the Promoter that the extension of the Greenway and the diversion of Footpath M196 will be designated as Works in the Bill with published plans and sections, that the Greenway extension will be designated as a Public Bridleway, and that the maximum gradients for the Greenway extension and M196 will not exceed best practice values to suit all potential users.

79. The residents of Berkswell Parish are frequent users of the network of footpaths and bridleways in adjacent parishes through which the proposed railway would run. Your Petitioner is concerned that many changes to the network have been proposed without the local consultation that ordinarily would be expected, and that these changes have a serious adverse impact on the amenity and convenience of these routes. Despite a number of representations, the Promoter seems unaware of the current alignments of some Rights of Way, and the Promoter has failed to publish Plans and Sections setting out clearly the proposed changes. Your Petitioner seeks an undertaking from
the Promoter that no changes will be made to Public Rights of Way without proper consultation with interested parties, that priority will be given to preserving or enhancing the amenity and convenience of ways affected by the Scheme, that the Promoter will check the claimed alignments of all Public Rights of Way in our area against the relevant Definitive Map and will correct the Bill documents accordingly, that Plans and Sections will be published of ways that are to be modified substantially, and that your Petitioner will be afforded the opportunity to make further requests for relief from any injurious affects that become apparent.

Impacts of the Scheme on woodlands, habitat, and wildlife

80. Your Petitioner considers that, while a wide range of measures for ecological compensation has been offered by the Promoter, there is a lack of clarity and standards as to the extent of ecological mitigation that will take place. Your Petitioner seeks a commitment from the Promoter that the implementation and monitoring of bio-system replacement will be carried out to a high uniform standard throughout the proposed Scheme, that the Promoter will follow the guidance in the National Planning Policy Framework and seek to improve the natural environment, that there will be compliance with the European Environmental Impact Assessment criteria, the UK Chartered Institute of Ecology and Environmental Management standards, and British Standard BS 8545 "Trees: from nursery to independence in the landscape", and that the creation of alternative habitats and translocation of species will be commenced as soon as reasonably practicable.

81. Your Petitioner further seeks a commitment from the Promoter that a long-term ecological monitoring programme will be established, and that the monitoring programme will be open to full involvement by Solihull Metropolitan Borough Council, the local parish and town councils, and relevant special interest groups. Such programme should require future operators of the proposed railway to be obliged by contract to provide funding for, and to take, restorative ecological measures, when adverse affects appear to be developing.

82. Trees are critical features in the landscape and need long-term planning and care due to their slow growth rate. Your Petitioner seeks a commitment from the Promoter that where tree planting is to be used as an offset, a replacement ratio of 5-for-1 will be used in order to ensure satisfactory replacement, and that advice from the relevant parish and town councils and local interest groups on species and locations will be heeded.

83. Your Petitioner seeks an undertaking that, following construction of the proposed Scheme, the Park Lane Spinney will be replanted with matching species to those currently located there, leaving the smallest possible gap in the trees.

84. The Promoter proposes to acquire 5 ha of Marlowes Wood for "the enhancement of existing broadleaved semi-natural woodland". Your Petitioner is concerned that Marlowes Wood, in particular, its herony, has not been adequately evaluated in the Environmental Statement. Other species adversely affected will include bats, newts, butterflies, many other invertebrates, badgers, foxes, deer, and less common birds such as barn owls and woodcock. As such, it has not been afforded sufficient protection. Your Petitioner seeks a commitment that Marlowes Wood will be safeguarded, that those areas that will be felled will have a habitat protection plan in place prior to any works being carried out which will establish the creation of an equivalent habitat, and that the plan will be agreed with your Petitioner. Furthermore,
your Petitioner seeks a commitment from the Promoter that there will be no disturbance whatsoever to the heronry located within Marlowes Wood until a substitute equivalent habitat has been established in a nearby location and that all necessary measures have been taken to protect the substitute habitat from disturbance.

85. The Promoter proposes not to implement the original offset planting that was planned between Marlowes and the A452, but to enhance Marlowes Wood itself. However, your Petitioner does not consider this reasonable, since Marlowes Wood is already planted. The areas being left unplanted appear to have little utility, so your Petitioner seeks an undertaking from the Promoter that the original planting scheme be carried out.

86. Your Petitioner is concerned that Sixteen-Acre Wood will be severely impacted by the proposed development due to the loss of nearly an acre of woodland. Your Petitioner seeks a commitment from the Promoter that a substitute woodland shall be created within the vicinity of the Sixteen-Acre Wood, the location of which shall be agreed with your Petitioner.

87. Your Petitioner notes that Little Poors Wood is potentially Ancient Woodland and rated of High Value. The Wood is shown on the tithe map of 1841 is noted, as is the area of ridge and furrow earthworks. A section of the wood with established oaks and other trees, plus ground cover and woodland soil profiles, would be destroyed, to permit construction of the Burton Green Tunnel. The reinstated Kenilworth Greenway, Work No. 2/182, intrudes into the Wood. There is also a very significant risk of inadvertent damage during construction. Your Petitioner seeks an undertaking from the Promoter that Work No. 2/182 will be moved away from Little Poors Wood, that a dense foliage screen will be established to preserve the setting of the Wood from visual intrusion of the Scheme, that the topsoil from the wood will be conserved and used during reinstatement, that the wood will be replanted with species equivalent to those lost following best practice guidance, that the Promoter will make enduring agreements to provide on-going care and maintenance of replacement trees, and that there will be rigorous local oversight and enforcement of protection measures for the Wood during the construction phase.

88. The temporary route of the Kenilworth Greenway, for use during the construction phase, would run for 90 metres alongside Big Poors Wood, which is now probably considered Ancient Woodland and of high value. There is a high risk of incursion into the wood and therefore possible damage, during the construction period. Your Petitioner seeks a commitment from the Promoter that Big Poors Wood will be securely fenced and properly protected from incursion, that the nominated undertaker will monitor the security of the fencing and make repairs as needed, and that any complaints of intrusion will be investigated promptly.

89. Your Petitioner notes that the proposed Scheme will entail damage or removal of hedgerows throughout the Parish, with serious implications for the complete ecosystems to which they give shelter. Your Petitioner notes the intention to plant substitute lengths of hedging, but seeks a commitment from the Promoter that the replacement hedges will be planted and nurtured to maturity in appropriate locations, using species that are similar to those displaced, and that the overall scheme of planting will provide a quantity and quality of habitats equivalent to those that have been lost.
90. The proposed Scheme includes the addition of a steeply-constructed section to the Lavender Hall Embankment. The embankment would run across the Bayleys Brook flood plain for 400 metres with an elevation of around 10 metres. The extended embankment would impound groundwater, reduce natural drainage of the surrounding areas, impede wildlife migration, obstruct Public Footpath M191, degrade the landscape amenity, and increasing the amount of prey animals on the tracks that will lead to trains hitting and killing barn owls. Your Petitioner therefore seeks a commitment from the Promoter that the Lavender Hall Embankment will be shortened by about 300 metres with a corresponding increase in length of the Balsall Common Viaduct.

91. Your Petitioner seeks an undertaking that specialist advice will be sought regarding the conservation of barn owls, and that mesh screens or other deterrent devices will be fitted above and beside the railway line to prevent barn owls and other birds of prey hunting on the railway line.

92. Your Petitioner believes that insufficient attention has been given to the severance effect of the Scheme on the migration of wildlife such as bat, otter, fox, badger, muntjac, and fallow deer. Amongst other measures, your Petitioner seeks an undertaking that the Promoter will fully assess the impacts of the proposed development on all local species, that an increase in the length of the Burton Green Tunnel will be assessed for its contribution to wildlife connectivity, and that at least two wildlife passageways will be provided in the Beachwood Embankment section of the proposed Scheme, which could include the proposed accommodation underpasses if they are un-gated.

93. Polluted run-off from the railway would be harmful to the eco-system, especially including those with listed status such as the Blythe Valley and the Berkswell Bogs. The drainage system for the proposed railway should also be developed as substitute wildlife habitats with appropriate connectivity, to help mitigate significant habitat loss in the area of Beechwood Farm, including an existing pond and other wetland features hosting amphibian and avian species. Your Petitioner seeks an undertaking that any run-off from the railway tracks will be filtered to remove pollutants before it enters the natural drainage system, that additional wetland habitat will be developed in the Beechwood area, and that the recommendations of wildlife groups with local knowledge will be followed.

94. Your Petitioner is concerned that the Sixteen-Acre Wood Embankment would directly affect the Berkswell Bogs and the Berkswell Marsh Site of Special Scientific Interest. This raised embankment will increase the footprint and the volume of subsurface material that will be compacted and rendered impermeable. This would have a serious effect on the hydrology of the area with impoundment of groundwater. Raising the water table would also increase the risk from pluvial flooding. The Promoter intends to divert a watercourse that currently runs from Marlowes Wood. Your Petitioner therefore seeks an undertaking from the Promoter that the section of Work No. 3/1 from Sixteen-Acre Wood to Marsh Farm will be constructed on a viaduct, that a culvert will be provided to carry the water and prevent hydrological damage, and that agreements will be made to ensure the watercourse and culvert are maintained in good order.
Impacts on agriculture

95. The proposed scheme has a major effect on agriculture throughout the Parish, with the effects of severance compounding the simple arithmetic of lost land area. In order to preserve the general amenity of the Parish, it is vital that agriculture is protected during the construction phase and assisted to recover afterwards. Your Petitioner is concerned that there is a correction to the Environmental Statement showing that the land loss for holding CFA 18/26 is not 22% but 78%. Your Petitioner considers that the viability of the holding will be damaged irreparably. In consequence, there would be pressure for inappropriate development such as solar arrays, storage, builders’ yards, and light industrial workshops, that would reduce the openness and visual amenity of the Greenbelt in the Meriden Gap. Your Petitioner seeks an undertaking from the Promoter that an agency will be created, together with a compensation scheme, to stimulate the amalgamation of uneconomic agricultural land fragments into viable holdings.

96. Your Petitioner notes that it is proposed to increase the amount of land taken for the scheme near the Electrical Sub-station by 1.6 ha. This is to reduce the amount of retaining wall to be constructed. Given that walling will be constructed immediately adjacent, your Petitioner believes the saving does not justify the loss of agricultural land, and seeks an undertaking from the Promoter that this proposal will be withdrawn.

97. The Promoter does not propose to provide adequate access for agricultural purposes through the Footpath M191 Underpass at Truggist Hill Farm. Your Petitioner seeks a commitment from the Promoter that the public footpath M191 Underpass beneath Work No. 3/1 will be constructed with sufficient height and width to permit access for agricultural machinery.

Impacts on water resources and flooding

98. Associated with the roundabout proposed at Marsh Lane on the A452 is an increase in the culverted length of Bayleys Brook by 45 metres. The additional constructional works would be close to the Brook, which is designated a habitat of principal importance. Your Petitioner is concerned that the safeguards in the Code of Construction Practice will provide inadequate protection, and that, after construction, the predicted increase in flood levels will be exceeded because of obstruction of the culverts. It appears that the proposed roundabout and connecting roads have been superimposed on the previous scheme without a full evaluation of the hydrological impacts. Your Petitioner seeks an undertaking from the Promoter that the diversion of Bayleys Brook near Marsh Lane will be re-evaluated, that a route will be chosen to minimise the culverted length, and that the Promoter will make enduring agreements to ensure the Brook and its culverts are kept clear of obstructions so that wildlife is able to move freely along its course.

99. Your Petitioner welcomes the provision of access to the Kenilworth Greenway from Station Road, but is concerned about the implications on ground-water and flooding. Local people have experienced deep flooding on numerous occasions in the area through which the access is proposed. Your Petitioner requests that a full examination of the flooding issue is conducted, and that all necessary measures are included in the scheme to prevent worsening of the flood situation around Berkswell Station and in the fields further upstream along Bayleys Brook.

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Impacts on cultural heritage

100. The Promoter intends to raise the elevation of the railway, Work No. 2/146, by 4 metres in the vicinity of Crabmill Farm, a Grade 2 listed building already seriously impacted. The antiquity of the site is indicated by the listing of the associated cropmarks. Your Petitioner seeks an undertaking from the Promoter that the level of Work No. 2/146 will not be increased, that Work No. 2/186 will be screened to reduce its impact on the setting of Crabmill Farm, and that measures will be taken during construction to prevent intrusion onto and damage to the buried heritage assets.

101. Your Petitioner regrets that the Promoter has failed to act on the correction to the extent of the Berkswell Conservation Area. The parkland part of the Berkswell estate, as opposed to the purely agricultural part, is a designed entity in which Berkswell Hall, its associated buildings, gardens, trees and the Lake were carefully disposed within a picturesque landscape edged with a perimeter belt of trees, and the Conservation Area now covers parkland shown on the 1886 Ordnance Survey map. Your Petitioner requests that there should be a re-evaluation of the impact of the scheme on the setting and quality of the Berkswell Conservation Area as an entity, and that all reasonable further mitigation measures to protect it should be implemented.

102. Significant additional surveying of heritage assets has been carried out elsewhere, including a further review of historic mapping and other data sources, walk-over surveys, geophysical surveys, and other remote-sensing data. However, your Petitioner is concerned about the lack of work to establish the alignment of the Saxon boundary "maere" in the neighbourhood of Marlowes Wood. The boundary has major cultural significance because of the light it sheds on settlement patterns in the Saxon period, and it continues to mark parish boundaries and the division between the East- and West Midlands dialects. The ancient boundary would be expected to comprise a ditch and bank, and your Petitioner is concerned that groundworks for Work No. 3/1 would damage or destroy below-ground archaeological remains. Your Petitioner seeks an undertaking from the Promoter that proper precautionary surveys will be carried out in the Parish to locate unrecorded cultural remains, that potential remains will be thoroughly investigated, and that they will be properly recorded, and published.

Impacts on the community

103. HS2 Scheme will cut a swathe across the Parish, creating physical and psychological barriers between the various residential, employment, and recreation areas. Your Petitioner is concerned that, without further protection, the proposed works will leave a negative legacy on the landscape and communities in the area. Whilst the Environmental Statement contains mitigation for a number of identified adverse impacts, your Petitioner considers that the aggregation of many minor impacts would result in significant adverse effects on the environment and local communities. Your Petitioner requests that the Promoter be required to establish a local Community Fund, as a means to offset the on-going generalised harm inflicted on the wider area, including that of your Petitioner. The Fund would be used for replacement and additional facilities, infrastructure, and other mitigation. Such funds were established in respect of Birmingham Airport and other major infrastructure projects, for example, High Speed 1 and the Hinckley Point nuclear power station.
104. Further, your Petitioner seeks a commitment from the Promoter that future operators of the proposed railway will be required by contract to maintain the Community Fund to support community projects in the areas of Solihull Borough adversely affected by the Scheme, that the fund will be administered by a committee drawn from local parish and town councils and other relevant bodies, that the operator of the railway will be obliged by contract to contribute £100,000 annually to the fund, and that the Fund will receive the proceeds from (inter alia) any penalty charges imposed for exceeding environmental limits.

105. Businesses are likely to suffer impairment as a result of disruption during the construction phase. Your Petitioner considers it would be fair for businesses so affected to be provided with some relief from business rates, and seeks an undertaking from the Promoter that provision will be made to assist businesses who can demonstrate impairment due to construction of the Works.

106. The Lavender Hall Fishery falls within 100 metres of the proposed railway, and it seems probable the Fishery will cease to be a tranquil and attractive venue for recreational angling. The Fishery also provides refreshments for visitors and walkers, and its loss will affect both residents and visitors. Your Petitioner seeks a commitment from the Promoter that a replacement facility for recreational fishing, comparable to the present one in utility and amenity, will be provided by the Promoter at a nearby location, and the proprietors will be fully compensated.

107. Berkswell Clay Pigeon Club has been based off Lavender Hall Lane since 1964, and currently has over 40 members. Residents within the Parish would be impacted by the proposed loss of the Club facilities. Your Petitioner seeks a commitment from the Promoter that a replacement site, comparable to the current one in utility and amenity, will be provided by the Promoter and the Club will be fully compensated.

108. Your Petitioner considers that reputational loss and damage to the area would arise from the naming of the proposed intermediate station at Middle Bickenhill "the Birmingham Interchange", even though it is 15 km from Birmingham, well outside the Birmingham administrative area, and has no apparent interchange function. Your Petitioner seeks an undertaking from the Promoter that the name will be changed to Bickenhill, Stonebridge or something else with a local resonance, and that this name will be used in all future documentation, notices, and signs. This would help avoid confusion, as well as bringing a community benefit.

Impacts of the construction works

109. Construction compounds, encampments for workers and, in particular, materials stockpiling will have serious impacts on residential properties. For example, the construction compounds and material stockpiles at Waste Lane, Truggist Lane, Ram Hall, Park Lane, Bradnocks Marsh, Mercote Mill Farm, Beechwood Farm, and Berkswell Station Rail Underbridge will have a significant detrimental impact on nearby residents. The material piles would be major dust sources and are too close to agricultural operations and residential dwellings. They would cause considerable nuisance from dust, dirt, fumes, traffic, and noise for a number of years during construction. The area taken for the storage of materials and excavated spoil seems in excess of local requirements. Therefore your Petitioner seeks a commitment that construction compounds and stockpiles will be located as far away from residential properties as reasonably practicable and that the proposed construction compounds at Berkswell Parish Council 22
Park Lane, Waste Lane and Truggist Lane will be relocated to minimise the impact of the compounds on the residents of the Parish.

110. Your Petitioner is concerned that the Bill does not set out sufficient means for compensating those impacted by construction activities. These impacts, although temporary, will continue for a number of years and as such, will have a significant effect on the well-being of many people living in the vicinity of such activity. Your Petitioner supports the petitions of those local individuals who have raised such impacts. Your Petitioner seeks a commitment that there will be periods of respite from construction activities and noise, such periods to be agreed with your Petitioner.

111. Your Petitioner considers the measures set out within the Code of Construction Practice are inadequate to fully address the detriment that the proposed Scheme will have on local communities and is concerned that the Code is in draft form, and will remain as such until after the Bill has been enacted, and that there are inadequate controls on its future amendment. The term "reasonably practicable" is used frequently in the Code without stating who will judge the practicality of a measure. Your Petitioner seeks a commitment that the more stringent standard of "best endeavours" will be used in the Code.

112. Your Petitioner requests that there should be a proper local engagement process, and that powers should be conferred on your Petitioner or on another responsible body to regulate such matters as hours of work, routes and construction activities in order to mitigate the effects of construction on the local community. Your Petitioner specifically requests powers and funding to employ specialist officers in the areas of environmental health, ecology, and archaeology and heritage, with authority to regulate and stop construction activities if necessary.

113. Your Petitioner is concerned to ensure the nominated undertaker is required to adopt the very highest standards in respect of the mitigation of the effects of noise, vibration, dirt and dust during the construction period. The Code of Construction Practice merely replicates standard industry practices as a minimum, and your Petitioner seeks the imposition of best practice requirements and a guarantee that any future enhancements to industry standards will be complied with.

114. Your Petitioner believes the nominated undertaker should provide detailed plans, method statements, work programmes, and schedules of deliveries (particularly abnormal deliveries) in relation to each work site, well in advance of the commencement of operation in order to minimise their impact on residents and businesses. Your Petitioner seeks an amendment to the Code of Construction Practice to ensure your Petitioner is notified well in advance of any alterations in methods of construction and construction operations, particularly in relation to site servicing and set up arrangements.

115. Your Petitioner also alleges there is a lack of detail on noise mitigation in the Code of Construction Practice and that clear accountability and enforcement protocols are not defined. Your Petitioner would ask that the Promoter be required to address these issues.

116. Your Petitioner requests there be an independent, objective and comprehensive assessment process which encourages innovation and best practice throughout design, construction and operation of the works and that this should be reflected in the Code of Construction Practice. As this is a national strategic project, your Petitioner
requests that at each stage and for the management of the project the Promoter be
required to achieve CEEQUAL excellence as a minimum.

117. For the foregoing and connected reasons your Petitioner respectfully submit that,
unless appropriate safeguards are provided to protect your Petitioner and the Bill is
amended as proposed above, so far affecting your Petitioner, the Bill should not be
allowed to pass into law.

118. 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.

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.

Richard Wilson, Clerk to Berkswell Parish Council

Richard Lloyd, Agent

15 April 2016