

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 ("the Authorised Works") are specified in clauses 1 and 2 of and Schedule 1 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 the Bill.
7. Your Petitioners are freeholders/occupiers of Curborough House Farm, Curborough, Lichfield which is a farm in the county of Staffordshire.

8. It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of your Petitioner and in 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 have via their agent made formal representations on at least four occasions to HS2 Ltd in respect to their farm, business and property. To date there has been very little feedback in this regard as to how the Bill and the plans accompanying it can be amended such as to improve your Petitioners' position and reduce their claim for compensation. There are a number of very important points concerning your Petitioners' property which can be explained as follows:
 9. Your Petitioners own the Curborough Sprint Course. This is one of a very few privately owned sprint courses in the country and is permanently available for use by motor car and cycling clubs nationwide and in most cases used daily. The new highway alignment will make access and egress to the sprint course very difficult indeed and we have concerns about access and egress to it in the future should current highway proposals be adopted. Your Petitioners have suggested amendments to which no response has been received.
 10. Your Petitioners' land will be severed by the construction of HS2. Whilst some underpasses are proposed your Petitioners are yet to receive details of this to ensure it will remain suitable for modern agricultural machinery going forwards to the future. In this respect they refer specifically to the realigned Wood End Lane underpass.
 11. Your Petitioners have yet to receive confirmation of the farm access tracks that will be required to ensure that access to their various parcels of land may be maintained.
 12. Land between Gorse Lane and the Roxane bottling plant. Your Petitioners own a parcel of land between Gorse Lane and the Roxane bottling plant which lies between two industrial uses. It is likely that following the expansion and

development of Fradley and Lichfield this area will be developed at some point in the near future. That being the case your Petitioners submit they must maintain highway access to the land which is equally as good as it is now to prevent them being ransomed over it in the future.

13. There are also other areas of land which have significant development potential which will be severed and again to which highways access must at all times be maintained to prevent future ransom. Your Petitioners refer to the underpass under the railway which allows for the continuation of Wood End Lane as mentioned above. It is crucial to ensure that this underpass does not become a pinch point in the future. Your Petitioners currently own land on either side of Wood End Lane and so there are very few restrictions as to its widening in terms of ownership and deliverability for development. Your Petitioners suggest that any underpass needs to be wider than standard to allow not only for the Millennium Cycleway in this location, but also the footpaths and any future widening of the road when development does occur.
14. Your Petitioners note that there is a move locally to seek to have the railway lowered in this location. There is some advantage to your Petitioners in this regard because it is likely to mean the false embankments and bunds which need to be created to construct the scheme will be of a lesser impact.
15. Your Petitioners have noted the importance of the Mare Brook and its capacity to take rainwater at present. Drainage in this area is a very significant matter and it is noted that other local businesses have had to construct soakaways and balancing ponds to prevent flooding of their properties. These installations function well but drainage in the area is delicate and despite making representations to HS2 Ltd your Petitioners have received no confirmation from them as to how drainage will be addressed.
16. Your Petitioners wish to make Parliament aware of the proposals for the development of part of the farm and that a consortium is promoting the land for residential development. The line of the railway will inevitably mean

expensive alterations to the planning proposals and your Petitioners point out that they have already foregone a number of option payments due to the uncertainty of HS2.

17. The farm currently engages in the production of arable crops over around 500 acres (420 acres owner occupied), an equestrian centre with around 40 horses and the potential for a further 20, employing three full time staff and one part employee, equestrian events held at the weekend attracting typically 40-60 riders, storage for horse boxes and trailers, planning consent for storage facilities for 60 caravans (currently on hold due to the uncertainty over the site), a model flying club which has operated for 50 years from a unique site on the farm and this is likely to be lost due to the scheme. A small sheep flock is kept at the farm.
18. There are four houses on the property all in the vicinity of HS2 which will be injuriously affected by the proposals. The severance effect of the railway line will be highly significant.
19. Your Petitioners' property and the various dwellings thereon will be injuriously affected by the provisions of the Bill.
20. Your Petitioners and their rights, interests and property will be injuriously affected by the provisions of the Bill, and your Petitioners accordingly object thereto for the reasons, amongst others, hereinafter appearing.

Extent of land take

21. Land in the ownership of your Petitioners is liable to compulsory acquisition under clauses 4 to 8 of the Bill. The limits of deviation and of land to be acquired and used are drawn very widely and your Petitioners are unsure why that is. Your Petitioners may seek to enter into an agreement with the promoter of the Bill that the extent of compulsory purchase should be limited geographically and where possible so that acquisition and use of your Petitioners' land is on a temporary basis only.

22. Your Petitioners are particularly concerned by the possibility of land being acquired permanently for a temporary purpose and considers it inappropriate for the Bill to contain compulsory purchase powers in respect of their land when the Nominated Undertaker's requirement is for a temporary use only. It is as yet unclear as to what parcels of land will be required during the construction period and what will be required on a permanent/temporary basis. Your Petitioners ask for clarity in this regard.
23. Your Petitioners also wish to ensure that they are properly compensated as regards the acquisition and use of their land, and is concerned to note that the compensation regime proposed by the Bill is inadequate and needs to be improved.

Inappropriate mitigation measures on farmland

24. There are a number of environmental measures proposed for your Petitioners' land which they consider are inappropriate. For instance –
25. Trees, grass and vegetation will be planted along the route to provide visual screening, reduce visual impacts and integrate the railway into the surrounding area. Your Petitioners are particularly concerned about some sizeable areas of land which appear as grassland habitat creation and woodland habitat creation. There has been no consultation directly with your Petitioners in this regard and your Petitioners wish to protect the best and most versatile agricultural land for food production to feed the nation. There is therefore in their view no necessity to take good agricultural land out of production for habitat creation. Your Petitioners suggest that should the Bill require land to be provided for wildlife and habitat creation could be better provided away from the route on non productive land in urban areas for the benefit of the community.
26. Your Petitioners are pleased to note that the balancing pond has been moved from their land to a different location but remain concerned about drainage and water run-off. They require discussion with HS2 Ltd in this regard.

27. Your Petitioners are again concerned about any flooding which may occur due to water run-off and drainage issues and remain unconvinced that drainage proposals (if any) will be effective.

Maintenance of bunds and made-up ground

28. It is clear from the draft Environmental Statement that there will be significant lengths of bund, made-up ground, "sustainable placement" and ground reprofiling alongside the proposed railway, much of it on good quality agricultural land. Your Petitioners in this instance remain gravely concerned about the construction of bunds and embankments designed to minimise the movement of spoil along the length of the route of the line. They again take the view that the best and most versatile agricultural land should be protected and require further information from HS2 Ltd as to how these bunds will be treated, who will own them and who will be responsible for their maintenance. On the whole of this farm, most of the bunds and embankments are noted as providing woodland habitat creation which your Petitioners consider to be an inappropriate use of good quality farmland.
29. In your Petitioners' submission, the Bill should be amended so as to include a provision requiring the Nominated Undertaker, unless the landowner agrees otherwise, to remain responsible for the safety and maintenance of land which is altered in that way and to be responsible for liability for any losses associated with the failure of such operations, such as settlement or slippage.

Accommodation works

30. Your Petitioners' farm will be severed as a result of the construction of the proposed railway. Accommodation works in general and crossing points in particular are matters of significant importance for your Petitioners. Well-designed accommodation works which meet your Petitioners' needs are likely to reduce substantially a claim for compensation. HS2 Ltd or the Nominated Undertaker should, at a very early stage, seek to agree a specification for accommodation works with your Petitioners. That would help to mitigate the

impact of the scheme. For crossing points, such a specification might include the width, height, weight limit and final surface. Once agreed, the specification should be binding on the Nominated Undertaker. Access tracks will be required in a number of locations and your Petitioners reiterate the need to “future proof” the Wood End Lane underbridge and to provide a better access to the Curborough Sprint Course. Your Petitioners have provided an alternative design for the highway solution in this instance to which they are awaiting a response from HS2 Ltd.

31. Your Petitioners proposes to your honourable House that HS2 Ltd should be required to undertake that it will, at a very early stage, seek to agree with your Petitioner a suitable specification for accommodation works where they are required as a result of the construction of the Authorised Works, and that the specification, once agreed, will be binding on the Nominated Undertaker.

Severance and hedgerows

32. The severance of agricultural land by such a long linear scheme will result in some of your Petitioners’ fields being left in awkward shapes. A common element of a claim for severance is the cost of removing hedges and fences in order to re-shape fields into a sensible layout. Since the introduction of the Hedgerows Regulations 1997, the removal of any hedge which is more than 20 metres long requires the consent of the local planning authority. This will add time, cost and uncertainty for farmers who are affected.
33. Your Petitioners propose to your honourable House that the Hybrid Bill should be amended to provide that the Hedgerow Regulations 1997 do not apply to hedges which have to be removed to allow the reasonable re-organisation of field boundaries where land has been acquired by HS2 Ltd.

Compensation, generally

34. The compensation regime set out in the Bill is inadequate and must be improved. In any event, any payment of compensation that is due to your

Petitioner must be made as early as possible and must carry interest at a rate higher than is proposed under the Bill. Your Petitioners also require alterations to the Bill to secure any taxes incurred on the forced sale of land.

General

35. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioner and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

YOUR PETITIONERS THEREFORE HUMBLY

PRAY

your Honourable House that the Bill may not pass into law as it now stands and that they be heard by themselves, 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 petitioners and in support of such other clauses and amendments as may be necessary and proper for their protection and benefit.

AND YOUR PETITIONERS will ever pray, &c.

C R Bedson BSc MRICS FAAV

Agent for Mr John Robert Greaves

Mrs Margaret Ann Greaves

Mr Richard Spencer Greaves

Mr Antony Thomas Greaves

HOUSE OF COMMONS

SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS)

P E T I T I O N

of

MR JOHN ROBERT GREAVES
MRS MARGARET ANN GREAVES
MR RICHARD SPENCER GREAVES
MR ANTONY THOMAS GREAVES

AGAINST,

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