

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on merits – Praying to be heard by Counsel, &c.

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION of PARK VILLAGE LTD

SHEWETH as follows:-

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 Park Village Ltd of The Old Riding School, No.1 Park Village East, London NW1 7PX. Your petitioner holds a lease granted by The Crown Estate Commissioners for the use of this property as a film and TV studio. Upon termination of your petitioner's lease in 2018 your petitioner will have the right to renew for a further term as has been the case regularly since the lease was first taken out with the Crown Estate Commissioners in 1972. Your petitioner has been in occupation of this property and has traded therefrom since 1972 when the property was granted permanent planning permission by the London Borough of Camden as film and photographic studios. The property, which is directly and specially affected by the HS2 works and subsequent operation of the new railway, is the only trading premises of Park Village Ltd from which all of the company's operations are carried out. The property is in use as a fully functional film, TV and photographic studio with supporting facilities including offices, casting suites, editing rooms, production offices and storage space. The property is accessed solely from Park Village East and is accepted by HS2 as a non-designated heritage asset with all its unique features preserved as evidenced by the original external horse ramp to the upper floor stables complete with hay trolley and winching gear, the period viewing balcony and the original William Morris tiled hallway.
8. The Old Riding School was built in 1864 as an indoor riding arena combined with two storeys of stabling. In World War Two the property housed the displaced 'residents' of the bombed London Zoo enclosures. The studios operated by your petitioner currently employ ten full time staff and numerous visiting (up to twenty for an average day's filming) specialised freelance technicians such as cameramen, production designers, editors, sound recording engineers, construction managers, carpenters, painters and costume designers.
9. The layout of the building as a combination of significant enclosed open areas with equally spacious secondary rooms, used for casting, editing and production, is ideally and uniquely suited to the demands of the company's work which is sourced from the major London based advertising agencies. The property's location close to both the heart of Camden Town and the Eurostar station at St.Pancras has proved to be ideal over many years, especially for its ease of access to both the major camera, costume and props rental houses and its accessibility to clients and actors who are both nationally and internationally based.
10. The core business of your petitioner has won all of the major national and international advertising awards over a 40 year period of its occupancy of the Park Village East premises. The company is particularly proud of its charitable work with Great Ormond Street Hospital, Sport Aid and UNICEF. The company has won both BAFTA and US Academy awards and the Palme D'Or.
11. The underpinning of all your petitioner's achievements has been the acknowledgement of The Old Riding School at Park Village East as the single most spacious, peaceful and atmospheric workplace of its type in the Central London area at a location where the highest creative standards have always been met for your petitioner's demanding clients and more especially where 'A list' celebrities have been afforded the peace and privacy necessary for them to give their best work.

12. Throughout the forty two years of operation at the Old Riding School your petitioner has not come across another property which could match the specification and qualities required of its business and as offered by this property.
13. Your petitioner has been advised by Parliamentary Agents acting for HS2 Ltd that the property which your petitioner leases from the Crown Estate Commissioners might be used and/or acquired in connection with the HS2 Scheme as set out in the Bill. Your petitioner's property is referenced as Nos. 174 and 177 on the Deposit Plans. Your petitioner has not been advised why the property has been the subject of two separate references as it is a single hereditament. Your petitioner also has not been advised why a small part of the property, which cannot be divorced from the remainder, has been identified as 'not to be acquired' on the Deposit Plans. Your petitioner understands that the property is located in the Safeguarding Direction and is within both the proposed limits of deviation and Works No. 1/16 which terminates immediately to the south east boundary of your petitioner's property.
14. Although your petitioner's property is located within five metres of the proposed HS2 works and the new railway to be constructed and operated between the Parkway tunnels and Euston Station, your petitioner is unaware of any intention for the property to be demolished, altered or extended in any way.
15. The Environmental Statement accompanying the Bill clearly demonstrates that there will be very substantial and significant adverse impact arising from the range, extent and combination of HS2 works and the subsequent operation of the new railway. These works include :
  - a) The permanent diversion of a 42" water main from outside your petitioner's premises to Albany Street.
  - b) The removal, diversion and reinstatement of other statutory utilities within Park Village East.
  - c) The demolition of a substantial retaining wall, other railway walls, road bridge, ornamental wall and associated structures in Park Village East.
  - d) The installation of both permanent and temporary retaining structures and earth anchors in and under Park Village East.
  - e) The construction of a large barrette diaphragm retaining wall structure in Park Village East.
  - f) The reconstruction of the Park Village East roadway, footpaths, landscaping and ornamental walls.
  - g) The creation of a new vehicular access from Park Village East to a proposed head house, vent shaft and escape staircase structure to be built immediately to the south east of your petitioner's property.
  - h) The development of a new head house structure, a vent shaft and escape staircase with attendant roof-top emergency vehicle parking facilities.
  - i) Substantial deep excavations, demolitions, earth and spoil removal and construction to achieve a 'Dive-Under', tunnel portals and tunnels with associated infrastructure immediately adjacent to your petitioner's property.
  - j) The installation of trackwork, signalling, track drainage, mechanical equipment and other railway facilities and structures.
  - k) The use of Park Village East as an intensive route for construction traffic.

All these works are proposed to be undertaken either immediately adjacent to or within very close proximity of your petitioner's property for periods ranging between 3 months and over ten years.

16. Your petitioner is most concerned that the impact of these proposed HS2 works, either separately or in combination, will lead to your petitioner's property being rendered unusable for the purposes for which your petitioner has full planning consent and for which the property has been leased to them. Your petitioner is more especially concerned that the noise and vibration impacts will disturb and disrupt the normal business of your petitioner who is wholly reliant on a still and quiet environment which is currently to be found. Should your petitioner be forced to close its operations at The Old Riding School it has no suitable alternative property into which it can relocate and may therefore, as a consequence, suffer both irreparable reputable and financial loss.
17. HS2 Ltd does not dispute that the construction noise effects on the acoustic character of Park Village East will be significant, indeed the Environmental Statement confirms such at paragraph 11.4.7 and that noise from specific construction activities has already been identified as resulting in 'significant residual effects on the Film/TV studios located at Park Village East' (Environmental Statement paragraph 11.4.18).
18. Despite these matters being identified by HS2 Ltd there has been no attempt by HS2 Ltd to engage in any meaningful dialogue with your petitioner which is odd given the specific undertaking at paragraph 11.4.20 of the Environmental Statement to engage with the occupants of sensitive receptors. Clearly HS2 Ltd does not understand the nature of your petitioner's operations and the catastrophic impact that any additional noise and vibration will have on the viability of their business and it is disappointing to record that no attempt has been made to discuss and agree how this most serious issue, having to be faced by your petitioner, might be addressed by way of mitigation and/or compensation.
19. Your petitioner considers that its property needs to be properly assessed and recognised as a 'highly sensitive receptor' requiring particular and individually tailored mitigation and/or compensation measures. Your petitioner's business and operations require particularly unusual and demanding standards of stillness and quietness to adequately perform the functions for which it is world renowned. Your petitioner submits that any mitigation offered and provided, at the entire expense of HS2 Ltd, must recognise these demanding standards and accommodate them with a view to allowing your petitioner's business to operate normally. Your petitioner is additionally concerned that any acceptable mitigation and/or compensation offered must be guaranteed and actually carried out and delivered. If this is not possible then your petitioner requires HS2 Ltd to relocate your petitioner's business operations into adequate alternative accommodation at the sole cost of HS2 Ltd.
20. Your petitioner is justifiably concerned that its ability to carry on trading normally at its property is to be seriously disadvantaged to the extent that the sustainability of retaining clients and jobs is potentially and unreasonably undermined and prejudiced. It is submitted that the nature of the proposed works will cause unacceptable and direct disturbance resulting in the potential loss of use and amenity of your petitioner's property during construction of the

Scheme thus affecting the operational viability of the building and, in turn, your petitioner's finances and its ability to remain financially viable. This is of very serious and acute concern to your petitioner and has yet to be addressed by HS2 Ltd.

21. Your petitioner and its interests are injuriously affected by the Bill, to which your petitioner objects for reasons amongst others, hereinafter appearing.
22. Your petitioner is particularly concerned that the Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to take at least ten years to complete and will include lorry movements, service and utility diversions, road works, restricted access, demolitions, deep excavations, 24 hour working and major construction works immediately adjacent to and potentially on your petitioner's property which will give rise to unacceptable disturbance and disruption. These works will create dust, noise and damaging vibration causing unacceptable disturbance and disruption to the normal daily activities carried out in your petitioner's property. These regular and routine activities of your petitioner are essential to the proper functioning of your petitioner's organisation and the impact of the proposed HS2 works will result in an actual loss of essential revenue for Park Village Ltd for which no mitigation and/or compensation has been quantified or offered. Your petitioner understands that the Government has committed to undertake in-depth one-to-one engagement with businesses to ensure that their unique and diverse circumstances are appropriately catered for throughout the development of the HS2 Scheme. Your petitioner also understands that one of the foundational pillars of the proposed Scheme is that no one directly and specially affected should be left worse off than without it. Your petitioners request that its most reasonable concerns are addressed properly, adequately and in a timely manner.
23. Your petitioners are alarmed at the prospect of many years' noise, vibration and environmental pollution which could lead to the destruction of your petitioner's business which has been successfully built up over several decades. The company is renowned for its established and market leading "macro" food and product filming for companies such as M&S, Tesco and Waitrose. Any vibration experienced on the filming surface or lens mountings would be significantly amplified by the extreme close-up nature of the subject matter. On your petitioner's larger stage area, the frequent use of Motion Control technology, developed in part by your petitioner and gaining a technical Academy Award, requires an exact and precise repeat of the tracking, focus, camera pans and tilts etc. Any significant vibration would preclude the ultimate marrying of the varying elements making the whole process null and void. Your petitioner is also concerned regarding the recording of spoken dialogue which is employed in many recently commissioned advertising campaigns as well as high profile music video playbacks where the necessary lip sync could not be achieved. Should the key elements of privacy, stillness, quiet and atmosphere be either removed or not capable of being guaranteed, then clients would simply not choose to use the studios. With the publicity surrounding HS2 and the many unresolved and very significant environmental issues faced by residents and businesses in the Park Village East area, it is likely that without the certainty of appropriate mitigation and/or compensation then there is already a strong likelihood that

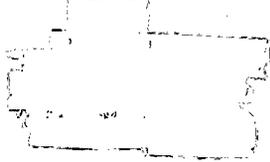
the viability of existing businesses such as that of your petitioner is being put at serious risk.

24. Your petitioner requests that HS2 engages with the business, obtains a thorough understanding of your petitioner's reasonable concerns and provides a written undertaking to carry out, at its entire cost, appropriate and agreed mitigation measures which will allow your petitioner to carry on its normal business in a viable and adequate way. Your petitioner requests that HS2 will guarantee that mitigation works will be carried out at their entire cost and in a timescale and manner that suits your petitioner's business. Your petitioner requests that HS2 is placed under an obligation to fully consult your petitioner regarding any work packages that are to be undertaken in the vicinity of your petitioner's property which would give rise to noise and vibration which might affect the nature of the business operations and that adequate mitigation measures are taken to minimise, at source, such noise and vibration.
25. In the event that HS2 cannot demonstrate an adequate level of mitigation that would allow your petitioner's business, its operations and processes to continue satisfactorily, then your petitioner requests that HS2 must agree to either fully compensate for all your petitioner's losses or/and bear the full cost of relocating your petitioner's business to a satisfactory alternative property and bear any additional costs thereby incurred until such time as the disruptive works have been concluded and the petitioner can resume its normal business operations.
26. Your petitioner objects to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submit that the Bill should be amended or undertakings should be required so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works by considering their individual and cumulative impacts on sensitive receptors including your petitioner's property. Your petitioner requests that, in reaching such amendments to the Bill or by giving such undertakings, proper consideration is given to the elimination of unacceptable disturbance to Park Village Ltd's property through adequate mitigation and/or compensation so that your petitioner may continue to discharge its functions in accordance with its objects without loss, disturbance or disruption.
27. 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.

YOUR PETITIONER therefore humbly prays your Honourable House that the Bill may not be allowed to pass into law as it now stands and that your Petitioner may be heard by its 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 your Petitioner's protection, or such other relief may be given to your Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioner shall ever pray, &c.

Signed



IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION OF PARK VILLAGE LTD  
AGAINST, By Counsel, &c.

Park Village Ltd  
The Old Riding School  
No.1 Park Village East  
London NW1 7PX

**Company No: 03057958**

**THE COMPANIES ACTS 1986**

**BOARD RESOLUTION**

**OF**

**Park Village Limited**

At a MEETING of the above named Company, duly convened and held at Number One, Park Village East Regents Park London, NW1 7PX being held on March 13<sup>th</sup> May 2013

Mr Tom Webb was appointed Chairman of the meeting

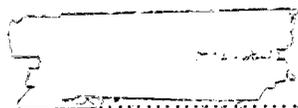
The Chairman noted that quorum for the meeting had been met

The following RESOLUTIONS were duly passed:

IT WAS RESOLVED THAT the properly authorised officer of the Company should be authorised to deposit a petition against the "High Speed Rail (London – West Midlands) Bill

IT WAS RESOLVED THAT Tom Webb should be authorised to act on behalf of the organisation in respect of the organisation and the depositing of said petition.

There being no further business the meeting was closed.



Mr T Webb  
Chairman