

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION

Against the Bill- 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 THOMAS JAMES AND COLIN MARRON.

SHEWETH as follows:-

- 1 A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable 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 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, and 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 and 45 to 58 of the Bill set out the powers sought for the construction and operation of the railway referred to in paragraph 1 above. They include provision for compulsory acquisition, planning permission, heritage issues, trees and noise. Clauses 37 to 45 of the Bill establish the regulatory regime for the railway and clauses 59 to 65 deal with miscellaneous and general provisions.
- 4 The works proposed to be authorised by the Bill are described in Schedule 1

of the Bill.

- 5 Your Petitioners are **Thomas James and Colin Marron** (hereinafter referred to as "your Petitioners"). Your Petitioners are the freehold owners of land comprising title number NGL259903 known as Units 3 and 4, Atlas House, Atlas Road, NW10 6DN. The Bill seeks authorisation for the compulsory acquisition of part of your Petitioners' interests at this property.
- 6 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.
- 7 The Bill seeks authorisation for the compulsory acquisition of the warehouse and premises at Units 3 and 4 of Atlas House. The notices served on your Petitioners identify that the Bill seeks authorisation for the compulsory acquisition of land numbered 158 and 160 on plan 1-46, but fails to also refer to the compulsory acquisition of land numbered 159 and 172 which is also shown for compulsory acquisition on plan 1-46 and falls within the ownership of your Petitioners.
- 8 The notices served on your Petitioners also fail to schedule Ixy's Bagels Limited (company number 03415817) and Levantine Limited (company number 06270832) as lessees of the property. Units 3 and 4 of Atlas House have been fully fitted out for catering use by the lessees.
- 9 The land is proposed to be acquired for use during construction as a satellite construction compound and for the provision of a conveyor across Victoria Road up to the Willesden Euroterminal.
- 10 It is not clear to your Petitioners from the published information whether the proposed compulsory acquisition of Units 3 and 4 at Atlas House will be permanent or temporary and therefore future planning for the property is severely restricted.
- 11 Your Petitioners have not been adequately informed by the promoters of the Bill of the clear purposes for the land and how long it is intended to be used for. The Bill poses a blight to the future occupation of the Units which are unlikely to continue to be let until clarity is provided on the length of acquisition.
- 12 Discussions with the promoters of the Bill have not shed any light on this.
- 13 Your Petitioners seek a written undertaking from the promoters of the Bill that:
 - a.) land at Units 3&4 of Atlas House will be leased to the promoters of the Bill

on commercial terms for the duration of the construction of the railway works rather than through the exercise of compulsory acquisition powers;

b.) on completion of the railway works the land at Units 3&4 of Atlas House will be returned to your Petitioners in its former condition, complete with any structures previously located thereon.

- 14 In the alternative, your Petitioners seek a written undertaking from the promoters of the Bill that on completion of the works, your Petitioners will be granted a right of pre-emption over the acquisition of the land at a price to be agreed with your Petitioners prior to the exercise of the compulsory purchase powers.

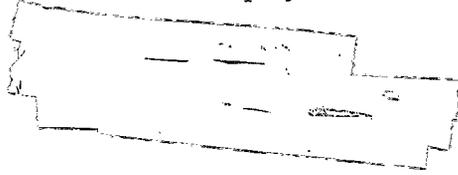
Length of compulsory purchase powers

- 15 The Bill seeks authorisation for the grant of compulsory purchase powers for a period of 5 years from the date when the Bill receives Royal Assent. The Bill further allows for this period to be extended for a further 5 years by the Secretary of State.
- 17 Your Petitioners consider that 10 years is too long a period of time for landowners to be subject to the threat of compulsory acquisition. Such threat will stall any development plans and could lead to vacant properties. It is submitted that the compulsory acquisition powers should be restricted to a period of 5 years only, with no potential for the period to be extended.
- 17 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, clauses 4 to 10, 15 and those seeking to authorise the compulsory acquisition together with the deposited plans so far affecting your Petitioners, should not be allowed to pass into law.
- 18 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.

YOUR PETITIONERS 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 Petitioners 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.

AND your Petitioners will ever pray, &c.



Signed by Richard Guyatt as agent for your Petitioners

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST
MIDLANDS) BILL

PETITION

OF

THOMAS JAMES AND COLIN MARRON

AGAINST, agreed by your Petitioners
The Bill –
On Merits –
Praying be heard by Counsel, &c.

Agent for your Petitioners:
Richard Guyatt
Bond Dickinson LLP
3 Temple Quay
Temple Back East
Bristol
BS1 6DZ