

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:

REMAVON LIMITED

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, the Secretary of State for Transport (hereinafter referred to as “**the Promoter**”).

Relevant Clauses of the Bill

3. Clauses 1 to 36 (inclusive) of the Bill together with Schedules 1 to 26 (inclusive) make provision for the construction and maintenance of the proposed works including the main works set out in Schedule 1. Provision is included to confer powers for various building and engineering, for compulsory acquisition and the temporary use of and entry upon land, for the grant of planning permission and other consents, for the

disapplication or modification of heritage and other controls and to govern interference with tress and the regulation of noise.

4. Clause 1 (construction and maintenance of scheduled works) authorises the nominated undertaker to construct and maintain works necessary for HS2 as described in Schedule 1 to the Bill and shown on the plans and section deposited with the Bill. By Clause 1 (and more specifically Schedule 1) of the Bill the Promoter seeks powers in executing any of the works proposed by the Bill to deviate laterally from the lines or situations thereof shown on the deposited plans to the extent of the limits of deviation and to deviate vertically from the levels shown on the deposited plans and sections to any extension downwards in all cases and to such extent upwards to any extent not exceeding 3 metres from the level shown for that work on the deposited plans and sections.
5. By Clause 1 Schedule 1 Work No. 2/111 of the Bill the Promoter seeks powers in relation to works at, amongst other places, Chipping Warden including a railway of 20.5kilometres in length.
6. By Clause 2 (further provisions about works) of the Bill the Promoter seeks powers to bring into effect Schedule 2, which contains provisions about the work which may be carried out, primarily to facilitate the main effort of construction of the schedule works.
7. By Clause 3 (Highways) of the Bill the Promoter seeks powers to stop up and interfere with highways, to access highways and to construct and maintain highways.
8. By Clauses 4 to 10 of the Bill the Promoter seeks powers to compulsorily acquire land and to bring into effect Schedules 5 to 13. The land for this purposes is to include both the airspace and subsoil or under-surface.
9. By Clauses 11 to 13 of the Bill the Promoter seeks powers to extinguish and exclude various rights over land and to bring into effect Schedule 14.
10. By Clauses 14 to 18 of the Bill the Promoter seeks powers to take temporary possession and/or use of land in connection with the works authorised by the Act. Further, these Clauses seek to introduce Schedule 15 in connection with those purposes.
11. Clauses 19 to 35 (inclusive) of the Bill seek deemed planning permission and to disapply existing statutory controls in relation to a range of planning issues including listed buildings, ancient monuments, burial grounds and consecrated land amongst

others. These Clauses also seek to introduce Schedules 16 to 26 (inclusive) for these purposes.

12. Clauses 36 to 46 (inclusive) together with Schedule 27 to 31 (inclusive) make provision for the application with modifications and the disapplication in part of the existing railways regulatory regime which is contained in and in arrangements made under the Railways Act 1993 and associated legislation. In particular, they provide for the disapplication of licensing requirements, the imposition of special duties on the Office of the Rail Regulator (ORR), the modification of railway access contract and franchising arrangements and the disapplication of railway closure requirements and of the need for consent from Transport for London in relation to impacts on key system assets. Provision is also included to enable agreements to be required as between the nominated undertaker and controllers of railway assets and to provide for the transfer of statutory powers in relation to railway assets.
13. Clauses 47 and 48 make provision for the Secretary of State to determine and effect the compulsory acquisition of land to satisfy the opportunity for regeneration and development. Provision is also made for the carrying out of reinstatement works.
14. Clauses 49 to 52 make provision for extension of the high speed rail network and to apply the Act to such further high speed rail works. Provision is also made for both the rights of entry for further high speed rail works and the exercise of those rights.
15. Clauses 53 to 56 makes provision for the application of the powers contained within the Bill to Crown land and the acquisition of rights of such Crown land including royal park land.
16. Clauses 57 and 58 of the Bill makes provision for deposited plans and sections, and the correction of such plans.
17. Clauses 59 to 65 of the Bill contain miscellaneous and general provisions. These include addressing the application of the Environmental Impact Assessment Regulations, dispute resolution, the service of notices and other documents and general interpretation.

Your Petitioner

18. Your Petitioner is Remavon Limited (hereinafter referred to as ("**your Petitioner**")).
19. Your Petitioner is a private limited company registered in England and Wales under company number 02204480 and owns the freehold of the building known as Ivo Building, 151 Scrubs Lane, London NW10 6RH and registered at the Land Registry under title number BGL21424 (hereinafter referred to as "**the Property**").
20. Your Petitioner's business, amongst other things, is the letting of the Property (whether as a whole or in parts) to commercial tenants and the generation of income as a result.
21. Your Petitioner acquired the Property in 1996 and carried out significant works of refurbishment to it prior to granting a lease to Teacrate Plc (now called Teacrate Limited), a public limited company registered in England and Wales under registration number 04383030.
22. The principal terms of this lease were that it was granted on a fully repairing and insuring basis for a term of 15 years expiring on 20 August 2013 at a passing rent of £130,850 per annum.
23. Your Petitioner has sustained significant loss on account of the Promoter's decision to initially include the Property within the safeguarding zone and then remove it from the zone subsequently.
24. At the time of the listing of the property within the safeguarding zone, the term of Teacrate's lease expired by effluxion of time. Immediately prior to such expiry the passing rent was £130,580 per annum.
25. Your Petitioner therefore sought to agree terms for a renewal of the lease so as to protect its investment and appointed DTZ to provide it with advice as to market rent. DTZ advised your Petitioner that, but for HS2, the market rent should have been approximately £150,000 per annum.
26. However, Teacrate would not agree to that level of rent and ultimately, facing the risk of its own insolvency in the light of business rates for the Property calculated against a rateable value of £129,000, your Petitioner had no option but to agree a rent of £55,088 until 17 February 2015 and £100,176 from 17 February 2015 to 31 December 2017.

27. The new lease was completed on 14 February 2013 and your Petitioner will therefore sustain losses in excess of £300,000 as a direct result of HS2. Further, the losses sustained by your Petitioner may even lead to its total extinguishment. This would not have been the case but for HS2 and the losses it has caused (and will cause in the future).
28. As is made clear by the foregoing, your Petitioner owns or has an interest in property and/or businesses within the Scrubs Lane area, some of which or part of which is subject to compulsory acquisition under the Bill (whether permanent or temporary) and some of which, whilst not subject to the compulsory purchase proposals of the Bill, is in the immediate vicinity of the proposed works including (but not limited to) the tunnelling works, spoil storage sites and spoil removal routes and they and their employees' and contractors health, safety and wellbeing and their employment, businesses and livelihoods are liable to be injuriously affected by them.
29. It is respectfully submitted that the rights, interests and property of your Petitioner, and those of their employees and contractors, tenants and other occupiers are injuriously affected by the Bill if it is passed into law in its present form. Accordingly, your Petitioner objects for the reasons amongst others, hereinafter appearing.

Your Petitioner's Concerns

30. Your Petitioner has many substantial concerns respecting the provisions of the Bill as affecting the Scrubs Lane area, the Property and the business and livelihoods of your Petitioner, its employees and contractors, and its tenants and other occupiers.
31. Your Petitioner estimates on information provided by the Promoter that the construction traffic generated from the tunnel excavation, spoil removal and associated works will impact upon the Property for a period of more than 8 years. Heavy construction traffic will pass along congested London roads creating unprecedented noise, dust, pollution, vibration and safety hazards in the area. It is anticipated that many hundreds of thousands of lorry movements will be required.
32. Your Petitioner submits that the scale of the excavation and construction in unprecedented for such a densely populated area in the UK. Your Petitioner is greatly concerned by the overall impact with the construction of HS2 as proposed will have upon the neighbourhood, people, the environment and amenity of the Scrubs Lane area and upon the fabric, general amenity and value of the Property, upon the ongoing viability of the business operated by your Petitioner, and upon the ongoing

viability of the businesses operated by your Petitioner's tenants and other occupiers. Your Petitioner contends that these works are unacceptable in this area and should not be permitted. In the alternative, and without prejudice to the previous, the works should be designed, operated and controlled with nothing less than the highest standards of design, constructions practice and mitigation. It remains unclear to your Petitioner that such standard will be adopted or, if adopted, will be carried through and enforced in the implementation of the proposed scheme.

33. Your Petitioner is concerned that the powers proposed in the Bill as affecting the Scrubs Lane area and the Property therein are either unjustified and/or unclear. Your Petitioner is also concerned that no adequate provision has been made to compensate the property owners, traders and businesses of the area according to the actual loss they would suffer. Furthermore, no adequate provision has been made to secure that damage and disruption are kept to a minimum or to secure that in other respects their interests are reasonably safeguarded. No mention has been made of penalties for the Promoters or losses to your Petitioner should any breaches of agreement or policy occur so as to result in injurious affection or harm to buildings, to owners, lessees or to occupiers.
34. In the ordinary course, your Petitioner understands that a project of this sort would now be subject to much more detailed design work that it appears has been undertaken. Significant detail is missing – as such the current scheme and its impact has not been properly analysed and the most appropriate tunnelling methodology, worksites and route alignment have not been chosen taking all criteria including risk assessment, noise, pollution, vibration, environmental harm, traffic levels, health and safety into account. In consequence, the impacts upon the Scrubs Lane area and the Property and your Petitioner's business and interests more generally are still ill-defined and your Petitioner is handicapped in its ability to engage with the Promoters in a positive fashion to safeguard both the interests of the area, the Property and your Petitioner's business and other interests.
35. Your Petitioner has responded to the Promoters' invitation to submit detailed comments on the Environmental Statement associated with, and deposited at the same time as the Bill. Your Petitioner believes it is its right to expect the large quantity of information that has been omitted from the Environmental Statement. Your Petitioner is currently awaiting proofs of evidence on a number of issues. Your Petitioner respectfully reserve the right to raise again these issues at such time as your Honourable House comes to consider this Petition.

36. Your Petitioner is concerned that the powers proposed in the Bill as affecting the Property and the Scrubs Lane area more generally are either unjustified and/or unclear.
37. Your Petitioner is concerned about other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights, interests and property of your Petitioner and the business operated by your Petitioner for whom no adequate provision is made in the Bill.
38. Your Petitioner respectfully submits that it, its employees and contractors, tenants and other occupiers have rights under the Aarhus Convention (which has largely been transposed into UK legislation through EC Directives and Legislation) concerning:
- a. Access to environmental information;
 - b. Public participation in the decision making process; and
 - c. Access to environmental justice.
39. Your Petitioner respectfully submits that the Bill deprives your Petitioner of its rights under this Convention, either in whole or in part.
40. The HS2 base case as regards its plans in the vicinity of the Property, and London generally, is that there be extensive tunnelling under and/or through substantial parts of London. Further, as regards the Property, there is, in very close proximity, the main construction compound at Old Oak Common and the substantially proportioned North Pole Depot (East). The result of this is that extensive surface works are required to support the tunnelling and other operations, supplying materials, removing excavated soil and storing the excavated soil. Your Petitioner submits that there will be a significant environmental impact as a consequence of these works which, inter alia, will involve significant disruption and congestion to the local road network.
41. Your Petitioner objects very strongly to the current plans which include the siting of the tunnelling, the siting of the Old Oak Common Station Main Compound and the siting of the North Pole Depot (East) with all the associated construction work, spoil removal and likely site regeneration works which will last many years.
42. Without prejudice to your Petitioner's contentions as set out above, your Petitioner also object to the provisions of Clause 4 of the Bill and of Clause 8 insofar as the same would enable the Promoter to acquire rights in the subsoil and sub-surface of certain of the Properties. Your Petitioner appreciates that if there is no alternative taking all the relevant criteria into account there may be the need for the Promoter to

obtain appropriate subsoil interests for tunnelling purposes but are concerned that the application of the powers as proposed is excessive and unnecessary and that their application will lead to damage to the Scrubs Lane area.

43. Your Petitioner is concerned about the definition of "Phase One purposes" set out in Clause 62 to the Bill and, in particular, to the inclusion of the words "*otherwise for the purposes of or in connection with Phase One of High Speed 2 or any high speed railway transport system of which Phase One of High Speed 2 forms or is to form part*". This could permit the Promoter to use powers for the purposes of development in addition to those needed for constructing a railway. Your Petitioner would therefore seek sufficient safeguards to protect its property and business interests.
44. Your Petitioner therefore submits that the Promoter should not be permitted by means of the Bill to interfere with private property rights and interests unless, and to the extent (if any) that proof is provided that there is no better alternative to the route alignment, the Old Oak Common Station Main Compound and the North Pole Depot (East) taking all criteria into account and it can be demonstrated to be necessary for the purposes of the Bill and to be in the public interest. Your Petitioner has not been provided with full justification for the proposals in the Bill affecting the Property and the Scrubs Lane area generally, and it is not satisfied that it is necessary or expedient for the other powers of the Bill to apply at all or in the manner or to the extent proposed.
45. Accordingly, your Petitioner submits that the Promoter should demonstrate and be put to strict proof of the need for and desirability of the proposals in the Bill, as affecting the Property and the Scrubs Lane area in general and that the proposed line of route, the resulting powers for the compulsory acquisition of subsoil, the power to construct works and the exercise of works and ancillary powers within the limits of deviation should be restricted in relation to your Petitioner's property (and the Scrubs Lane area more generally) to the extent (if any) to which they can be strictly justified and so as to prevent interference. In particular, your Petitioner contends that any interest in properties acquired (whether permanently or temporarily and, including but not limited to, in terms of the area over which it is to subsist, the form in which it is to take at law and any express or implied constraints which may be imposed upon the remainder of such property) should be strictly limited only to that which is absolutely necessary for the construction, safe operation and maintenance of the proposed works. Once the purpose of construction is completed the property rights acquired for this purpose should be returned to the original holders.

46. Your Petitioner has significant concerns with regards to the noise, pollution and vibration arising from the excavation of the tunnels, the removal of spoil and the construction of the railway and its associated works and structures. Such activities will inevitably also include heavy lorry traffic and is a matter of significant concern to your Petitioner.
47. The operation of the railway (including the use of ventilation shafts where proposed and other ancillary uses) will inevitably give rise to air and ground transmitted noise, pollution and vibration. There are no clear and binding limitations on such noise, pollution and vibration in either the Bill or the Environmental Statement. There is presently little monitoring of current levels of noise, vibration, pollution, dust, airborne pollution and vehicular disturbance so as to evaluate the impact of any increase in the area. Your Petitioner submits that the Promoter should be compelled to use best available techniques in the constructions and operation of the railway and its associated works and structures to ensure that no noise or vibration can be felt or otherwise experienced in or on the Property and such that there are no other adverse effects. Your Petitioner submits that strict standards should be set beyond those currently envisaged by the Promoter to protect the environment and to which the Promoter must be made strictly liable to comply in writing. Appropriate measures and penalties should be in place to safeguard the interests of all those affected by noise, pollution, vibration and health and safety breaches.
48. Your Petitioner considers that in the circumstances a noise, pollution and vibration monitoring and mitigation system should be in place before commencement and during construction of any works in relation to HS2. Further, there should be a resultant damage mitigation and monitoring system in place, again before commencement and both during enabling works, construction of the works and operation of the trains. There must also be an evaluation of the cumulative impact of enabling works, construction and the operation of the trains following completion. There must, in your Petitioner's submission be a threshold agreed between your Petitioner and the Promoter of the Bill. If that threshold is exceeded or any damage is caused the nominated undertaker should be obliged to cease construction or operation of the trains as the case may be until such time as remedial measures are in place, to pay appropriate financial penalties and only be permitted to resume the works once noise, pollution and vibration levels have returned to the levels to be set out under the Bill.
49. Your Petitioner requests that provision be made for the appointment of a suitably qualified expert or experts in noise, pollution and vibration (to include that generated both during construction and operation of the railway) caused at the Property by the

operation of the project. Such an expert or experts should be agreed upon by the parties or in default of agreement should be appointed by the president of the appropriate body on the application of either party to report upon noise, pollution and vibration effects in the Property and the surrounding area. Your Petitioner requests that provision be made that the terms of the appointment should be agreed by the Petitioner, and the report should be addressed jointly to the parties whilst his/her fees should be borne by the Promoter. Your Petitioner requests that provision be made for reports to be supplied immediately to the parties. Your Petitioner requests that provision be made that all costs, expenses and VAT thus incurred should be borne by the Promoter. Your Petitioner requests that provision be made that the noise impact, pollution impact and vibration impact (during both enabling works, construction and operational phases) should be monitored by the relevant experts appointed pursuant to such agreement at the cost of the Promoter for the period of the construction works and at regular intervals after commencement of the running of the trains.

50. Your Petitioner requests that provision be made that all insulation and other remedial measures for all affected by the works as determined necessary by the expert appointed above be put in place at the cost of the Promoter before the commencement of enabling works and construction works in the vicinity of the Property if there is any noise, pollution or vibration impact to the Property or any part of the Property from the enabling works, construction of the works or the operation or maintenance of the trains and tunnels at any time. Your Petitioner requests that provision be made that all statutory consents are to be obtained by the Promoter at its cost. Your Petitioner requests that all such remedial measures and method statements are agreed in writing with them in advance.
51. Without prejudice to paragraphs 47 to 50 your Petitioner requests that provision be made that if, notwithstanding the reports of the experts any noise, pollution or vibration impact or any other health and safety impact is felt by persons or in any of the Property or any part of them or if any damage is caused from any vibration from the project at any time (including the operation of the trains at any time) all insulation and remedial measures are to be installed by the Promoter to your Petitioner's satisfaction immediately upon request by your Petitioner and at the Promoter's cost. Your Petitioner requests that all such remedial measures and method statement are agreed with them in writing in advance.
52. Having regard to the nature of the Scrubs Lane area and the businesses being carried out at the Property, your Petitioner is also concerned that hours of working should be strictly limited. Your Petitioner believes that the Promoter's proposals for limiting work hours are not satisfactory and seeks the imposition of more appropriate

working hours. Enabling works and construction of the works during the hours currently proposed would cause considerable disruption to the occupiers of the Property and the businesses operated therein.

53. The proposed works will impact significantly upon the use and enjoyment of the Property, as well as on the businesses operated therein. Significant use of unsuitable highways by large multi-wheel vehicles both delivering equipment and supplied to the work site and dealing with spoil as a result of the works is anticipated. The disruptive effect of such vehicle movements will be compounded by the permanent and temporary stopping up of nearby roads. The use and routing of heavy lorries through the vicinity of the Property is a matter of substantial concern to your Petitioner and, in its view, must be strictly controlled.
54. Your Petitioner is concerned about pollution, dust and dirt produced during the construction of the proposed works. Without prejudice to the generality of the foregoing, your Petitioner requests that special provision be made to take account of the particular sensitivity of the Properties, the business operated by your Petitioner, the use to which the Property is put and the urban London setting. Your Petitioner would wish to see binding limits of pollution and airborne dust particulates imposed on the Promoter and the Promoter should monitor pollution levels and dust emissions, at their own cost both before and after enabling works and construction of the works at suitably agreed points at the Properties and in the immediate vicinity. Strict adherence to maximum pollution and particulate levels should be required and where maximum pollution and airborne particulate levels are exceeded the Promoter should be required to cease work and mitigate the excess levels. Your Petitioner requests that provision be made to ensure that the Promoter takes responsibility for the reimbursement of your Petitioner for additional expense caused by dust and dirt such as, for example only, more frequent cleaning of the Property. Your Petitioner requests the adoption of best practice in dust suppression at all times.
55. Your Petitioner is concerned to ensure that disruption to access to the Property, both vehicular and pedestrian, caused by the construction of HS2 is kept to an absolute minimum during the construction period. Your Petitioner requests that good and open access to the Property be maintained in all cases, that vehicular access be maintained and that compensation be awarded for any costs incurred through inability to access, service or park at the Property due to the works.
56. Your Petitioner further submits that the nominated undertaker should be required under the Bill to provide detailed plans, method statements and other particulars of works including schedules of deliveries occurring in and around the Property

substantially in advance of the commencement of enabling works and all construction operations.

57. Your Petitioner wishes to be satisfied that there will be no disruption to statutory services provided to the Property as a result of the construction of the proposed works.

58. The provisions contained within the Bill for compensation for compulsory purchase of property or of subsoil or new other rights (in all cases whether on a permanent or temporary basis) will not enable your Petitioner or other landowners to recover the full loss and expense which they will incur in consequence of the exercise of such powers. Your Petitioner therefore submits that the Bill should be amended to rectify this.

59. Your Petitioner also objects that the compensation provisions of the Bill are inadequate to compensate your Petitioner or others in circumstances where no land (or interests in land) is acquired by the Promoter under the Bill, but where the value of such land and the properties erected on it is reduced or where such land and the properties erected on it and/or the business interests operated from it is otherwise adversely or injuriously affected by the construction or use of the proposed works. Your Petitioner therefore submits that the Bill should be amended to provide for claims for adequate compensation in respect of damage arising to their property by the execution of the works, or for injurious affection thereof by the execution or working of these works, separately from any claim for compensation in respect of acquisition of any land (or interest therein) from your Petitioner.

60. Your Petitioner further submits that the compensation provisions proposed in the Bill are inadequate to compensate your Petitioner for the loss, damage and inconvenience attributable to blight to the Properties, which it has already suffered or may now suffer as a result of the prospective construction and subsequent use of the proposed works. Your Petitioner fears, for example, (as has already been the case with Teacrate) that prospective lessees of properties will feel that the proposals may so blight some or all of the Properties that they would not be interested in acquiring any part or parts of the Properties, or that prospective or existing lessees will demand a considerably reduced rent, due to the prospect of the works. Further provisions should, it submits, be included in the Bill including provisions respecting the making and assessment of claims for compensation, in indemnifying your Petitioner for any loss it might suffer (or already has suffered) as the result of unfavourable rent reviews respecting leases insofar as the reduced rent payable (as it may differ from open market rent) is attributable to the proposed works and their effect on the Property.

Furthermore, compensation should be available for any loss (so attributable) which your Petitioner might suffer (or has already suffered) in the event of it not being able to let or re-let their properties (in whole or in part) to existing or new tenants or in the event of them only being able to do so at a reduced premium or rent.

61. Your Petitioner further submits that the Promoter should be required to indemnify it from all losses, claims and demands which may be made or suffered in consequence of enabling works and the construction, use or maintenance of the works or the operation of the trains and the maintenance of the tunnels at any time under the Bill, or their failure or want of repair, or in consequence of any act or omission of the Promoter, his contractors or agents in carrying out the operation of the trains and maintenance of the tunnels at any time under the Bill.
62. As a general matter, your Petitioner submits that provision should be made for the Promoter to repay to your Petitioner all proper cost, charges and expenses (including the proper fees of such professional advisers as it may instruct) reasonably incurred in consequence of the Bill or of any provision made as a result of this Petition.
63. Your Petitioner submits that provision should be made for the Promoter to pay compensation on demand for reduction in market value of the Property caused by any of the foregoing. Your Petitioner submits that provision should be made for the Promoter to indemnify the Petitioner for any injury to the Petitioner, its employees, contractors, agents, invitees, tenants and licensees at the Property. Your Petitioner submits that provision should be made for the Promoter to indemnify your Petitioner if insurance cannot be obtained by it or only at an increased premium or subject to particular conditions/excesses. Your Petitioner submits that provision should be made for interest to be payable by the Promoter on all sums due and not paid. Your Petitioner submits that provision should be made for all monitoring costs of your Petitioner to be borne by the Promoter. As a general matter, your Petitioner submits that provision should be made for an overall indemnity by the Promoter to put your Petitioner in the same position as in the "no project" world. Your Petitioner submits that all undertakings and indemnities given by the Promoter should be for the benefit of your Petitioner, its successors in title and assigns and all mortgagees of the Property.
64. There are other clauses and provisions in 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.

CONCLUSION

65. Accordingly your Petitioner respectfully submits that:

- a. the Promoter should provide satisfactory and complete evidence and justification as to why the tunnelling, the Old Oak Common Station Main Compound and North Pole Depot (East) should be located as shown on map number CT-05-008 ; and
- b. the Bill should not proceed in its present form until provision is made for the Promoter to have proved that all outstanding matters of concern and the environmental impact on the Property and the Scrubs Lane area more generally that are set out above have been address and resolved to the satisfaction of your Petitioner.

66. For the foregoing and connected reasons your Petitioner respectfully submits that the Bill fails adequately to safeguard and protect the interests of your Petitioner and that, unless the Bill is amended as proposed above, and unless all of the issues set out herein are fully addressed, the Bill should not be allowed to pass into law.

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 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.

AND you Petitioner will ever pray, &c.

Richard Charles Andrew Flenley
Solicitor of the Senior Courts of England and Wales
Charles Russell LLP
Agent for the Petitioner

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HOUSE OF COMMONS
SESSION 2013 – 14

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REMAVON LIMITED

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15 May 2014