

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – 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  
KPI I SARL

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, Secretary Theresa May, Secretary Vince Cable, Secretary Iain Duncan Smith, Secretary Eric Pickles, Secretary Edward Davey, and Mr Robert Goodwill.
3. Clauses 1 to 23 set out the Bill’s objectives in relation to the construction and operation of the railway transport system set out in paragraph 1 above. They include compulsory acquisition and planning. Clauses 24 to 42 establish a regulatory regime for the railway transport system and clauses 43 to 65 deal with miscellaneous and general provisions. The works affecting Your Petitioners are contained in Schedule 1 Scheduled Works number: 3/205, 3/205A, 3/205B, 3/209, 3/209A, 3/209B, 3/210, 3/208, 3/211, 3/215B. The Rolling Stock Maintenance Depot will also be constructed and operated on the Petitioners’ estate.
4. Your Petitioners are KPI I Sarl who are part of the Key Property Investments Ltd Group, which is 50% owned by St Modwen Properties PLC, the UK’s leading regeneration specialist. Your Petitioners are the registered proprietors of the freehold interest in land at Heartlands Parkway, Birmingham (Parcels 218, 219 and 225 on Sheets numbered 3-110 to 3-113) which it is managed by St Modwen Corporate Services Limited.

5. 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.
6. St Modwen Developments Limited, a group company of St Modwen Properties PLC, is the registered proprietor of the freehold interest in Parcel 167 on Sheets numbered 3-107 and 3-108.
7. St Modwen Developments Limited and their rights, interests and property are also injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
8. Your Petitioners object to the Bill for the reasons following:
  - a. Your Petitioners' estate is part of an approximately 55 hectare strategic employment site at Heartlands Parkway, Birmingham.
  - b. The site has been identified as a part of a key employment area and has planning permission for the creation of over 1 million square feet of industrial distribution space in an area of the highest unemployment in the West Midlands. It has the potential to create between 3,800 and 7,500 full time jobs together with adjoining land.
  - c. The Promoters propose to construct and operate the Rolling Stock Maintenance Depot on the Petitioners' and adjoining land.
  - d. Given that estimated production of jobs at the Maintenance Depot is 500, the socio economic effects are such that it is unacceptable to compromise this strategically important site and it should be located elsewhere.
  - e. In addition, while loss of trade to existing businesses affected by construction impact is conceded, no firm and binding commitment is offered by the Promoters to compensate relocation costs and the loss of rental value before the exercise of powers of entry and the attendant socio economic costs render the Maintenance Depot proposal further unacceptable.
  - f. The Promoters have failed adequately to address the requirement fully to examine alternatives sites for the Maintenance Depot not least undeveloped land adjacent to HS2 International Station and the Bill should be amended to exclude the Petitioners' site as part of the Maintenance Depot. In these circumstances the bridge link (Parcels 213 and 212 on Sheets numbered 3-108 and 3-110) from the A47/Heartlands Parkway to your Petitioners' estate will need to be retained or rebuilt to sustain suitable access from Heartlands Parkway to your Petitioners' estate. The Bill should also be amended to make provision for continuity of this access.
9. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, the Bill, so far affecting your Petitioners, should not be allowed to pass into law.

10. 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.

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Praying to be heard by counsel, &c

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