

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-2014

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

Against the Bill – on Merits – Praying to be heard by counsel, etc.

TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND IN PARLIAMENT ASSEMBLED.

THE HUMBLE PETITION OF

THOMAS SIMON WALSH

Director

T.S.WALSH LTD.

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 Secretary Patrick 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, 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 compulsory acquisition, the extinction and exclusion of rights over land, the temporary possession and use of land, planning permission and deregulation in connection with, inter alia, heritage and environmental matters. Clauses 37 to 52 deal with railway matters, nominated and statutory undertakers, regeneration and reinstatement and further high speed rail works. Clauses 53 to 65 contain miscellaneous and general provisions.
4. The nominated undertaker (defined in the Bill and hereinafter referred to as “the nominated undertaker”) is authorised by the Bill to construct and maintain the works specified in Schedule 1 to the Bill being works for the construction of Phase One of High Speed 2 and works consequent on or incidental to such works. These works are called “the scheduled works”.

5. The Bill would authorise the construction and operation of the railway through and near Wendover, and your Petitioner and his rights, interests and property are injuriously affected by the Bill, to which your Petitioner object for reasons, amongst others, hereinafter appearing.

6. Your Petitioner Thomas Simon Walsh is a director of T.S. Walsh Ltd (the Business) of 62 Grenville Avenue, Wendover, Buckinghamshire, HP22 6AL and is authorised by the board of directors of that company to petition on the Business' behalf. Your Petitioner is a businessman and a former highway engineer who was engaged in the early stages of the construction of the new city of Milton Keynes and understands the problems that construction of the proposed scale will have on the highway network, the utility infrastructure and on the safety and commercial amenity of local communities.

For 29yrs, T.S. Walsh has operated a small fleet of light vans and these vans travel to sites around the UK, on a strict schedule, to carry out horticultural service operations. It is the only business engaged in this activity based in the Wendover area. 80% of the Business' journeys are to the South & West of Wendover and commence on the A4009, A4010 and A413. These roads being the roads most affected by the proposed construction. Your Petitioner estimates that long term construction works and the related traffic hold ups will cost his business £100 per day at 2014 rates. That is £25600 per annum (made up of additional mileage travelled £20 per day, additional wages and increased need for vehicle cleaning £80) in direct costs. Further costs in lost opportunity and reputation are incalculable. This will have a direct and particular effect on the Business.

As a direct result of the HS2 project construction phase...

1. Increased cost will threaten the viability of the said business and the employment and the prospects of 5 people currently working in it.
2. Accurate business and journey planning will become impossible.
3. Clients and suppliers will be reluctant to visit our premises.
4. The business will be functionally isolated as a result and will suffer significant amenity reduction.
5. The business will loose it's equitable position in this competitive marketplace.

T.S. Walsh Ltd will therefore be directly and specially affected by the Bill.

Objection is taken to the works proposed to be undertaken through and near Wendover between Little Missenden and Stoke Mandeville.

Your Petitioner's main objective is to persuade your Honourable House to lower the line into a fully-bored tunnel as it passes through and near Wendover. The current works consist mainly of;

- a. Viaducts.
- b. Embankments and earth bunding.
- c. Green tunnel of cut and cover construction.
- d. A Maintenance loop.
- e. Gantries and overhead cables.
- f. Satellite compounds, transformer stations and portal buildings.

Your Petitioner proposes that the works be replaced by a fully bored tunnel from Little Missenden to beyond the North Western boundary of the Area of Outstanding Natural beauty for the following reasons:-

- a. In principle the construction of a bored tunnel was originally proposed and has been approved by HS2 Ltd, so this is a practicable solution that has already been researched and cost estimated. This option has already been described as a better performer from a sustainability point of view than the option currently planned, with marginal cost implications.
- b. By this method traffic disruption could be confined to limited areas of the route and road closures could be avoided.
- e. By this method damage to the business will be reduced though not fully mitigated as Ellesborough Road will remain open, improving access and egress to the South and West of Wendover.
- f. By this method disturbance/damage/degradation to Telephone, Broadband, Water, Gas and Electricity services will be greatly reduced.

Your Petitioner's secondary objective is to persuade your Honourable House to ensure the resilience of Wendover's utility services during the construction phase of the HS2 project. Your Petitioner is reliant on Telephone, Broadband, Water, Gas and Electricity to carry out business activities, particularly the heating of greenhouses and computer and back office functions, and has fears that the proposed construction may place unsustainable pressures on the existing networks and that these pressures will accelerate degradation of those networks and will, as a result lead to unreliable service delivery over a long period.

Whatever works take place relating to this project your Petitioner further proposes that a new Traffic Management Plan (TMP) that takes account of and gives priority to the needs of local and through traffic of all kinds, using the A413, A41, B485 and B4009 and divers minor roads be put in place.

A focused and mandatory plan, including elements of the Community Relations framework outlined in section 5.1 and section 14.2 of the London – West Midlands Environmental Statement Volume 5 with the addition of.....

1. Independent oversight and monitoring specific to traffic matters.
2. A published community reporting structure specific to traffic matters.
3. A mechanism for timely remedy of breaches of the TMP.
4. Clear sanctions for any breaches of the TMP.

Whatever works take place relating to this project your Petitioner further asks your Honourable House to ensure that business' are offered fair compensation where it can be demonstrated that construction works unfairly restrain the trading operation of the business and that this restraint is not defined by the effect on property/premises solely.

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 Counsel, Agent 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 your Petitioners will ever pray, etc.

 Petitioner

Thomas Simon WALSH, Director, T.S.Walsh Ltd

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