

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

Against - on Merit - 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 Richard Cecil Harwood and Caroline Sarah Harwood

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 Hammer-smith 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, the 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 use of lorries.

~~4. Clauses 37 to 42 of the Bill deal with the regulatory regime of 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 to be authorised by the Bill ("the Authorised Works") are specified in clauses 1 and 2 of the Schedule 1 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 the Bill.

7. Your petitioners are freehold owners of The Old House, 34, Aylesbury Road, Wendover, one of the oldest, listed houses in which they have lived since 2005. It has a family connection as Caroline Harwood's great grandparents lived in The Old House from 1890 to 1947 during which period it was owned by the Wendover Estate. The Old House is located near the Clock Tower just under a mile from the proposed HS2 track. Wendover is a historic small town in Area of Outstanding Natural Beauty and we cannot express strongly enough our opposition to this scheme which will destroy the tranquillity and the beauty of the Chiltern countryside. The existing Chiltern Railway line - running close to and parallel to the A 413 causes no intrusion on this tranquillity, (its trains creating a gentle and barely audibly rumble) and provides an excellent service into London while Princes Risborough provides services to Birmingham and beyond.

8. Your Petitioners rights, interests, and property injuriously affected by the Bill, to which your Petitioners object for reasons hereinafter appearing.
9. Your Petitioners aver that they will be seriously and adversely affected during both the construction phase and then during operation.

Problems caused by the construction phase:-

- a) The HS2 project will cause severe disruption to Wendover over a long period of years. The construction camp will overload the surrounding roads and services and lead to security problems and social unrest. The heavy traffic from the planned 300 movements of heavy lorries engaged in the construction work will lead to further traffic problems and present a serious danger to other road users. The A413 has very heavy traffic during the early morning and evenings as a major commuter road and for school journeys. We can see this as a recipe for serious traffic accidents. The construction of the Small Dean Viaduct between the Dunsmore Lane/A413 junction and the New Hale roundabout will cause further disruption, noise and light pollution will be horrific.
- b) The A413 is popular with cyclists. That pastime will prove virtually impossible throughout the construction period; bicycles on the A 413 can only add to the likely congestion and would prove doubly dangerous.
- c) The view over the Misbourne Valley will be destroyed by the unsightly works along Wendover Dean and Small Dean viaduct and embankments planned for the proposed HS2 railway.

Problems caused by the operation of HS2:

Your petitioner avers that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects:

- d) The Chiltern AONB would be scarred by the construction of two viaducts and an embankment with heights ranging from 10 to 18 meters and the associated overhead gantries and cabling. The reason for going to the trouble and expense of moving here in retirement would be utterly negated. These scarring features would be indeed be visible from a large area of the Chiltern AONB so that this very valuable designation of a protected area would become redundant. Furthermore, the devaluation of the landscape by HS2 could lead to pressures on the surrounding Green Belt for housing development due to it becoming a scarred AONB area.

This would lead to further unacceptable pressures on the surrounding infrastructure, roads, services etc.

- e) The effect of 400 m long trains running every few minutes would totally destroy the tranquillity of the area. It has been mooted that, in order to help recover its costs, HS2 would operate commercial freight services by night; whatever the frequency of such movements, it will destroy the night-time peace which is currently a feature of the area. No solution to the problem of noise has been offered by HS2 Ltd.
- f) The threatened problem, even at this early stage of planning, of noise generated by these long high speed trains running every few minutes has already had a negative impact on the value of our property - the one major asset built up over a lifetime's hard work. The property is outside the stated limits for any compensation. It is therefore realistic, in the interests of all parties, that some form of practical mitigation is allowed for.

Remedial Measures:-

HS2 Ltd has attended bi lateral meetings with local residents societies. We and fellow residents have attended these meetings. At these meetings it was made clear to HS2 Ltd that the only mitigation to protect the AONB and residents such as your petitioners is to lower the railway line and its conduit carrying structures into a fully bored tunnel to run to a position North of Wendover. This HS2 Ltd have admitted in their environmental statement is technically possible but rejected on cost grounds, despite being reluctant to discuss costings - citing "Commercial Sensitivity". This does not seem to make sense as until the Royal Assent is obtained, no contracts can be awarded unless substantial penalty clauses are in place. We have read the Report by Peter Brett Associates that tunnelling through chalk is economically feasible as an alternative to viaducts and green tunnels. To quote, 'The tunnel avoids loss of Ancient Woodland and impacts on Listed Buildings (such as ours) and Scheduled Ancient Monuments. Noise effects are limited to the intervention gap and portal locations.' As Petitioners we favour the Green Route which represents less than 2% of the overall cost of HS2 Phase One, including contingencies, while avoiding significant damage to the AONB.

It would appear that whilst the Southern section of the Chilterns AONB has received tunnelling by way of mitigation this protection has been denied to the Northern section.

If this proposal is to proceed as a world class railway, then mitigation should be of a world class standard as well. If the Chiltern AONB were to be tunnelled throughout, HS2Ltd would have a whole range of routing options that is denied using the surface routing.

10. There are other clauses and provisions of the Bill which, if passed into law as they stand will prejudicially affect our rights, interests and property and where no adequate provision is made to protect us.

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 the protection, or that such other relief may be given to your Petitioner in the premises as your Honourable House shall deem meet.

AND your petitioner will ever pray etc..

Richard Cecil Harwood

Caroline Sarah Harwood

Date: 13th May 2014

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

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(LONDON - WEST MIDLANDS)
BILL

PETITION of

Richard Cecil Harwood and Caroline Sarah Harwood

AGAINST, By Counsel etc.

Tel: