

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

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 NIGEL WILLIAM MALCOLM COPELIN and MARGARET COPELIN

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 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 Your petitioners Nigel William Malcolm Copelin, and Margaret Copelin (where hereinafter referred to individually as respectively "the first petitioner and the second petitioner") set out their personal particulars as follows:-

(i) The first petitioner has lived at No 4 Vinetrees, Wendover for 28 years and owns the property with his wife the second petitioner and they have both lived in Wendover for 37 years. The Petitioners' property, No 4 Vinetrees, Wendover is sited approximately 400 metres NE from the proposed HS2 railway line. It is believed that their property is within the Zone of theoretical visibility (as referred to in the London-west Midlands Environmental Statement CFA10 at 3.5.1.7.2 and in the map entitled operational Phase Zone of Theoretical Visibility and numbered LV-08-037).

(ii) The Petitioners both have a background in the village community with the second petitioner being involved in both junior schools and running the Wendover Pre-School for 7 years. She now cares for several elderly people within the village. The first petitioner was part of the Wendover Carnival Committee and organised the annual Coombe Hill Run for 15 years. He was part of the John Hampden School Parent Teachers Association for 3 years and held the post of chairman for 1 of those years.

(iii) The petitioners have both been part of the village community using schools, shops, restaurants, library and Health Centre. The second petitioner was diagnosed with Multiple Sclerosis and has been receiving treatment for the past 19 years at the Health Authority unit at Rayners Hedge in Aylesbury and at the MS Society based at Halton, some 2 miles away. The first petitioner has suffered from a chronic respiratory condition for the past 15 years which is affected by poor air quality. This is closely monitored by his consultant at Stoke Mandeville Hospital.

(iv) The petitioners' 4 children were all educated in Wendover and have enjoyed all school activities, including the village swimming pool, Scouts and Guides.

(v) Both petitioners enjoy regular walks around the village utilising a number of public footpaths and up to Coombe Hill.

(vi) Both petitioners have caring responsibilities for elderly single parents who both live on their own are visited by them several times a week and a car is essential as they live 10 to 12 miles away

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. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken (and set out in detail in the London – West Midlands Environmental Statement Volume 2 Community Forum Area report, CFA 10, reference paragraphs 2.2.8 to 2.2.13), in and near Wendover between Little Missenden and Stoke Mandeville. These works consist mainly of an embankment between Hartley Farm and Road Barn Farm; the Small Dean viaduct; an embankment between the northern end of the Small Dean viaduct and the southern end of the Wendover green tunnel; and a viaduct and embankments at Wendover Dean. They include the construction of noise barriers and gantries on top of the viaducts and embankments along the route, and adjacent to the proposed line, ancillary works including satellite compounds, auto-transformer stations, balancing ponds, and portal buildings.

8. Your Petitioners' main objective is to persuade your Honourable House to lower the line into a fully-bored tunnel as it passes through Wendover.

Problems caused by the construction process of the scheduled works

9. Your Petitioners aver that during construction of the scheduled works there would be the following effects as set out in paragraphs 10 and following.

10. Disruption of traffic and substantial delays along all local roads, caused by around 300 HGVs per day, especially the A413 and the B4009, which your Petitioners use every day, and the A41, which they use on a regular basis.

11. A serious strain on local community services such as: (i) the Wendover Health Centre, (ii) the local MS centre at Halton to which your Petitioners are regular visitors as outlined in paragraph 5 above, and (iii) the police, caused by an influx of construction workers, and other personnel, associated with the project.

12. Dust caused by chalk and soil from construction and excavation, leading to the exacerbation of my respiratory problems. On storage chalk dries out, creating dust, the effect of which will be made worse by the prevailing south-west wind, which blows directly onto your petitioners' property at 4 Vinetrees, Wendover and will cause particularly adverse health effects on both petitioners by reason of their specific health issues outlined at paragraph 5.

13. Substantial damage to this part of the Chilterns Area of Outstanding Natural Beauty (AONB) with its exceptional natural beauty.

14. Substantial damage to the local religious and cultural heritage, including St Mary's Church, which the petitioners visit for services and cultural occasions.
15. Disruption to power supplies caused by the need to move the electricity pylons near the line.
16. Disruption to footpaths, which your Petitioners use on a regular basis and as outlined in paragraph 5.
17. Noise from machines digging the green tunnel, moving spoil, constructing embankments and viaducts and traffic connected therewith, leading to inability to concentrate during the day, and inability to sleep at night.
18. Light over the construction area causing light pollution. Your Petitioners live in an area where there is little artificial lighting, so this incursion of light would be very noticeable.

Problems caused by the operation of HS2

19. Your Petitioners aver that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects at paragraph 20 and following.
20. Your Petitioners' view of the Chiltern Hills in the AONB, as residents and walkers would be permanently scarred by the obtrusive viaducts and embankments at Small Dean, Wendover Dean some 11 to 14 metres above ground level with gantries a further 11 to 14 metres high. The line would be visible from numerous viewpoints in the locality including it is believed his/her own property. The embankments, viaducts, and other permanent features of the line would be overbearing and dominant in the landscape.
21. Your Petitioners' views of the Chiltern Hills from their own property or the parish of Wendover would also be permanently damaged by trains up to 400 metres long passing every two minutes.
22. The noise from these trains would cause an intolerable strain upon your Petitioners' lives and affect their sleep. This would particularly affect the second petitioner. At the distance from the line where they lives the noise would be spread over a longer time period, and thus be heard for approximately one minute in two. This is in an area which is at present one of peaceful tranquillity. In particular:-
 - (i) average noise figures only have been included in the Environmental Statement rather than peak noise figures (a point made comprehensively in the comments by David Lidington MP in his response to the Environmental Statement dated February 2014 (paras 6.01 to 6.03)), so that the precise effects of noise at all local locations relevant to your Petitioners' interests have yet to be clarified.
 - (ii) The believed effects of the viaducts and embankments at Wendover Dean and Small Dean will be to cause noise from the operation of the line to echo round the valleys and adjoining

hills and lead to a substantial loss of his amenities and cause damage to the tourist industry and reduced income to local businesses.

23. The value of your Petitioners' house has already been adversely affected, and will continue to be so on a permanent basis.

24. The damage to local facilities would be substantial, both those of value to your Petitioners such as St Mary's Church as a place of worship and for its community uses, and those of value to Wendover as a community such as the cricket ground, which would be destroyed.

The benefits of a fully-bored tunnel

25. Your Petitioners propose that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover. This would avoid most of the disadvantages set out in paragraphs 9 to 18 above and all the disadvantages set out in paragraphs 19-24 above.

26. Chiltern Ridges Action Group has proposed such a fully-bored tunnel in a report by Peter Brett Associates, and HS2 Ltd has confirmed that from an engineering and construction point of view it is feasible. Such proposals have now been published on 26th April 2014 by a number of the local authorities in Buckinghamshire.

27. HS2 Ltd has said that such a tunnel would cost £330 million more than the present proposal. However, it has refused to divulge any detail of this figure, or even the tender documents on which it was based, and there is considerable evidence that the figure is seriously exaggerated.

28. Moreover, it seems that HS2 Ltd has not taken into account the value of the benefits which a fully-bored tunnel would bring, such as the money saved by not having to compulsorily purchase properties and land, or move electricity pylons, and not damaging the environment. These benefits are valued at over £500 million.

29. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended by the inclusion of a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover, then the Bill should not be allowed to pass into law.

Mitigation for construction of a fully-bored tunnel

30. If a fully-bored tunnel is included in the Bill, your Petitioners propose that at least the following mitigation be adopted for its construction:

31. That the operation of construction traffic on the A413 and the B4009 only be permitted during the agreed working hours, excluding rush hour (7-9am and 5-7pm) on weekdays.

32. That the number of construction vehicles using local roads be limited, and at all times be such as not to inconvenience other road users.
33. That the removed spoil should not be permitted to be dumped in the Chilterns AONB, and that all spoil should be removed by rail, not road.
34. That a traffic management plan be agreed before construction starts with the local county, district and parish councils, such plan to go to arbitration if agreement cannot be reached..
35. That the permitted working hours for all matters relating to construction be strictly limited to 8am to 6pm on weekdays, 8am to 1pm on Saturdays and not at all on Sundays, with an hour before and after for start-up and close down.
36. That (i) the best possible sound barriers and other relevant means of reducing noise be provided and installed on both sides of the proposed line and (ii) acceptable noise levels be agreed before construction starts with the local county, district and parish councils, with any issue concerning the appropriate level of allowable noise to go to arbitration if agreement cannot be reached.
37. That noise levels be monitored on a frequent and regular basis by an independent organisation, with the result of such monitoring be immediately made public.
38. That artificial lighting at construction areas be limited to working hours.
39. That the maximum level of toxic traffic emissions from construction traffic be agreed before construction starts with the local county, district and parish councils, such emission level to go to arbitration if agreement cannot be reached.
40. That funding be made available to Wendover Health Centre, MS Centre, and local hospitals for the provision of any necessary additional facilities to cope with increased health problems, such as sleep disturbance, respiratory illness and hypertension, and including those caused by traffic emissions and dust created by the construction of the scheduled works.
41. That funding be made available to the local police force for increased staffing likely to be required due to the advent of a substantial construction workforce.
42. That full compensation for damage to property or loss in property value caused by construction of the scheduled works be available to all those who suffer such loss.
43. That the maintenance loop at present proposed to be located to the north of Wendover be moved to an area where there are much larger permanent works scheduled.

BACKSHEET

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2014-15

HIGH SPEED RAIL (LONDON TO WEST MIDLANDS) BILL

PETITION OF *Nigel William Malcolm Copelin*
and Margaret Copelin

Against the Bill – on merits – by Counsel, etc.

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