

**IN PARLIAMENT**

**HOUSE OF COMMONS**

**SESSION 2013–14**

**HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL**

**PETITION**

Against – 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 Mark and Candida Evans

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 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 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 the use of lorries.
4. Clauses 37 to 42 of the Bill deal with the regulatory regime for 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 proposed to be authorised by the Bill are specified in clauses 1 and 2 of and Schedules 1 and 2 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 and Schedules 2 and 3 to the Bill.
7. Your Petitioners are owner/occupiers of Spring View, Crackley Lane, Kenilworth, Warwickshire CV8 2JS. We have lived at this address since 2002. We are now in our late forties and our daughter, who lives with us, is 18 this year. Our property will not be demolished as a result of the Bill, but is on a quiet rural lane and is approximately 800 metres from the proposed railway. Our property enjoys a large plot with far reaching views and a tranquil setting. Crackley Lane provides the only access to our property. Crackley Lane is due to have significant engineering works where the line crosses it and, although this may not directly affect access to Spring View, we anticipate heavy construction traffic using the lane directly in front of our house. The section of railway passing our property is planned to be elevated and we understand

it is likely to be among the noisiest sections of line between London and Birmingham.

8. Your Petitioners and their interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
  
9. Your Petitioners are both self-employed and have no adequate pension provisions. Prior to the announcement of HS2, we planned to sell Spring View and move to a property with out-buildings to let out, to provide an income in our retirement. We planned to do this around 2018, when our daughter will have left university. We cannot move much later than this, because we need enough time to pay off a new mortgage before we retire. Mark Evans has run a small engineering company since 1997 and we hope that an outbuilding at our new property will help the company to develop a novel marine craft, which already exists in prototype form. He has also run a voluntary group for over 20 years, which has amassed a unique collection of artefacts relating to the aviation history of Warwickshire. These were displayed in a local museum for over 10 years and are currently stored, awaiting new premises. We hope to use a further outbuilding at our new home to re-open this collection to the public. Local estate agents have advised us that Spring View has been blighted and would be impossible to sell at anywhere near its un-blighted value, because potential buyers will be worried about the noise and disruption from HS2, during its construction and operation. This issue is particularly acute for Spring View because its main attraction is its combination of quiet location and beautiful views with easy access to Kenilworth and Coventry. The details of discretionary compensation schemes published in April 2014 suggest that Spring View will not be eligible for "Express purchase", "Voluntary purchase" or "Home owner payment". The Petitioners may be eligible for the "Need-to-sell" compensation scheme, but it is not clear whether our situation would be considered a "compelling need to sell" or whether we would meet various eligibility conditions which are not yet clear. As a direct result of HS2, we are therefore unable to provide for our retirement, or carry out our plans for our company and museum.
  
10. Your Petitioners respectfully submit that the Select Committee should require HS2 Limited and/or the Secretary of State to purchase Spring View at its un-blighted value, in a timely manner once your Petitioners have found a suitable property to purchase. We suggest that the value of Spring View should be established by independent surveyors at that time and that your Petitioners should be given the

option to sell it to HS2 Limited for that value. We further suggest that your Petitioners should be given the option to rent back Spring View, while refurbishing their new property.

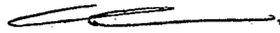
11. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, should not be allowed to pass into law.

12. 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 it 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 Petitioners in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

Signed



M. J. E

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Against the Bill—On Merits—By Counsel &c

Mark and Candida Evans,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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