

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

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 Claudia Barnard, *ALLOTTE FARM, WILLS PASTURES
SOUTHAM CV47 2XR*

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 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 ("the Authorised Works") are specified in clauses 1 and 2 of and 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 petitioner and her husband Michael David Barnard are the freehold owners of Glebe Farm, Wills Pastures, Southam, CV47 2XR your petitioner's property.
- 8 Your petitioner's property lies within the Zone of Theoretical Visibility as shown in the maps that accompany the Environmental Statement.
- 9 Your petitioner's property lies within the area shown in the Environmental Statement which will be impacted by noise from the construction and operation of HS2.
- 10 Your Petitioner and her rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.

Need to sell

- 11 Your Petitioner submits that the compensation provisions in relation to property that is not compulsory acquired and other matters are not sufficient to compensate your Petitioner adequately for the loss and damage they may incur as a result of construction and operation of the high speed railway and associated development.
- 12 Your Petitioner requests that the Bill should be amended to ensure your Petitioner and other persons outside the safeguarded area who are injuriously affected and adversely affected by loss of value should be entitled to claim compensation.
- 13 Your Petitioner's husband is approaching the age of sixty and is no longer able to meet the physical demands of farming and therefore has for some time planned to retire from farming and to seek a smaller property.
- 14 As a result in February 2014 the property was placed on the market with Fisher German of Banbury, a specialist estate and land agent, at the unblighted market value.
- 15 Due to financial needs the Petitioner is required to be in full-time employment and has since May 2014 taken up a senior position with a major UK plc based in the Hampshire area, resulting in a need to commute on a daily basis a round-trip distance of some 180 miles and entailing up to 4 hours commuting.
- 16 Taking both of these factors into account the Petitioner has a compelling need to sell the property.
- 17 To date it has proven impossible to sell the property, with HS2 being cited by enquirers and viewers alike as the principle reason not to consider the property.

- 18 Your Petitioner is in an invidious position. On one hand she and her husband are compelled to sell the property yet on the other the proximity of the HS2 line itself, the proximity of the construction traffic which passes directly in front of the property, and the duration of the construction period, combine to render the property increasingly unsalable for the foreseeable future. The period between the present time and the date at which construction is completed, and HS2 is operational, and the visual and noise mitigations as sought in this Petition are established and matured will be at least ten years, if not more. Over this period the property will remain blighted and has been judged by the land agent as unsalable.
- 19 Your Petitioner welcomes the need-to-sell scheme announced on 9 April 2014 which will pay the full, unblighted value to owner-occupiers who have a compelling reason (including job relocation, ill health) to sell their house but are unable to do so because of HS2.
- 20 Your Petitioner requests for her property to be purchased by the government under the need-to-sell scheme and requests that the government contract to purchase the property with immediate effect for the full unblighted market value.
- 21 Notwithstanding the fact that your Petitioner has a need to sell, she is also concerned about the destructive impact HS2 has on the area. Her concerns and requested actions are listed below.

Noise & Disruption

- 22 Your Petitioner is concerned about the impact of the construction and operation of a high speed railway and its associated development including but not limited to Oxford Canal North Embankment main compound (Map CT-05-081).
- 23 Your petitioner objects to the use of Wills Pastures Lane for the purpose of intensive construction traffic as outlined above and also the creation and siting of the Oxford Canal Embankment.
- 24 Your petitioner's property is located on Wills Pastures Lane (Plans Volume 2: DRG C223-CSI-HY-DGA-C30-216302; Volume 2: area 16 page 26) which is proposed to be used under the Bill as a route for construction traffic to the Oxford Canal North Embankment main compound (Map CT-05-081)
- 25 Your petitioner's property is in close proximity to the Oxford Canal North Embankment main compound (Map CT-05-081) proposed to be used under the Bill. Therefore your petitioner's property will be subject to intolerable noise/dust/visual impact/vibrations for a minimum of 5 years. The Environmental Statement states that this compound will be operational for 5 years and at peak times will be a base for 170 contractors. The proposed traffic density (see Volume 2 CFA 16 page 210) of 60 2-way lorry movements a day (i.e. one lorry every 15min), 245 return vehicle journeys and 30 on site living staff plus 120 daily commuting staff will in combination dramatically degrade the tranquillity of the neighbourhood.
- 26 Your Petitioner is concerned that the proximity of the main compound and the full-time presence of the construction team, their equipment and materials may give rise to increased levels of rural crime at the surrounding properties.

- 27 Your Petitioner requests that suitable security fencing will be erected along the southern boundary of Glebe Farm and that this fencing to be removed and the area made good at the end of the construction period.
- 28 Your Petitioner is concerned that post-construction the presence of the main compound but without full-time staff presence will continue to attract rural crime. Your Petitioner requests that suitable anti-crime measures are installed and operational at the compound for a period of twenty years from the date of completion of the construction phase, such measure to include but not be limited to CCTV with Automatic Number Plate Recognition (ANPR) technology and periodic security check at least weekly.
- 29 Your Petitioner requests that the nominated undertaker is subject to binding mitigation measures to mitigate the impacts of the works at Oxford Canal North Embankment main compound (Map CT-05-081). These binding mitigation measures should include but not be limited to restrictions on noise, dust, vibration construction hours, vehicle movements, operating hours, design of structures, lighting, security, monitoring compliance with these restrictions and enforcement of these restrictions. The nominated undertaker should also mitigate the impact of noise, noise, dust, vibration and impacts on visual amenity through measures such as noise insulation and barriers, sheeting of haulage vehicles, dust dampening, hand piling, and sympathetic design in keeping with the surrounding area.
- 30 In order to minimise the impact of the proposal, your petitioner requests that prior to construction, your petitioner and other local residents should be consulted meaningfully on the detailed drawings and plans for the viaduct. It must be designed to fit in with the surrounding environment, and be maintained to a high standard. Visual screening must be put in place, and this must also be maintained to a high standard.
- 31 Your Petitioner is concerned about the use of unsuitable highways by large vehicles delivering equipment and supplies, and removal of spoil during the construction works as well as use of highways by other vehicles. The disruptive effect of these vehicle movements will be compounded by long hours of operation. The use and routing of large vehicles within the vicinity of the Property is also a matter of concern to your Petitioner.
- 32 Your Petitioner requests that hours for the movement of construction traffic are limited strictly to 08:00 to 17:00 Monday to Friday, and there are limits on the number of vehicle movements, limits on the size of vehicles, and other miscellaneous related matters.
- 33 Your Petitioner requests that large vehicles as well as other construction traffic must be strictly controlled, having regard to the particular sensitivities of the area. Your Petitioner therefore requests that the nominated undertaker should be subject to binding mitigation measures in relation to the control of all construction traffic, assessment of suitability of roads for construction traffic, routeing of lorries and other vehicles in accordance with a list of routes to be agreed with the nominated undertaker and the relevant local authority.

- 34 Your Petitioner is concerned about the wear and tear, and degradation to the highways as a result of construction traffic.
- 35 Your Petitioner requests that binding mitigation measures should include traffic management plans to be agreed between the nominated undertaker, the relevant local authority and the relevant highway authority to be monitored and enforced by environmental health officers.
- 36 Your Petitioner is concerned about the risk to public safety posed by the large, heavy lorries and articulated vehicles, especially in light of the fact that the roads are narrow. Your Petitioner is also concerned about the access leaving and entering the construction site(s).
- 37 Your Petitioner requests that risk assessments should be completed by the nominated undertaker, relevant statutory undertakers and emergency services in relation to the access and transport issues raised by construction activity for each Community Forum Area.
- 38 Your Petitioner requests that the results the risk assessment should be available to the public.
- 39 Your Petitioner requests that appropriate funding should be provided by the nominated undertaker to the highway authority for the maintenance, repair and re-instatement of highways required as a result of use by construction traffic

Visual

- 40 Your petitioner is concerned about the design of the viaduct which is shown in sheet 2-92 of the Environmental Statement. This structure and the associated overhead line equipment will be clearly visible from your petitioner's home, and it will not fit in with the surrounding environment. This will have a significant negative impact on the landscape, and ruin the aesthetics of the local environment.
- 41 Your petitioner requests that the alignment of the railway is lowered between Wormleighton and Ladbroke in order to alleviate noise impact on your Petitioner's Property and the surrounding public rights of way and that sound barriers of at least 9 metres in height are erected.
- 42 Your petitioner is concerned that the Environmental Statement provides no control over the visual amenity impact of the main compound, either during or after the construction phase.
- 43 Your Petitioner request that the area for the compound will be re-instated as farm land.
- 44 Your Petitioner requests that light pollution and security to adjacent properties is mitigated to the highest possible standards.

Amenity

- 45 The entrance to and first half of Wills Pastures Lane is surrounded by mature hedges and trees. Your Petitioner is requests that all mature trees and hedges will be protected.
- 46 Your petitioner is a regular user of Wills Pastures Lane (Plans Volume 2: DRG C223-CSI-HY-DGA-C30-216302; Volume 2: area 16 page 26) for recreational purposes (horse riding). Wills Pastures Lane is an adopted road leading into a Restricted Byway and both are proposed under the Bill to be developed into an access road to the Oxford Canal North Embankment. Therefore your petitioner will lose a vital recreational facility which is used both for pleasure and as a sports facility.
- 47 Your Petitioner requests that during the construction period a safe and separate bridleway is provided on the other side of the hedge.
- 48 Your petitioner is concerned about the impact of noise on properties in Wills Pastures as the trains pass the parish. Your Petitioner's Property is in the parish and your Petitioner also uses many of the public rights of way in the area to enjoy the peace and tranquillity. Noise from passing trains will directly impact on your petitioner's property and when using the public rights of way.
- 49 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.



Claudia Barnard
Petitioner in person

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(LONDON-WEST MIDLANDS)
BILL

PETITION OF Claudia Barnard

AGAINST, By Counsel, &c.

The Petitioner in Person

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