

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2014-15

**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 Sowdown Limited, trading as Tobermory Consulting.

SHEWETH as follows:-

A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House intituled “A Bill to make

a) the provision of a high-speed 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 intermediate stations at Old Oak Common and Birmingham Interchange, and

b) in relation to the railway set out on the plans deposited in November 2013 in connection with the Bill in the office of the Clerk of the Parliaments and the Private Bill Office of the House of Commons, its broad route alignment.

1. 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.
2. 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.
3. Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.
4. 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.

5. 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.
6. Your petitioner Sowdown Limited was established in 2009, and works within the manufacturing sector offering high specification engineering services, product design, analysis and prototyping. These services are focussed towards the Nuclear, Defence and Medical industries as require a great deal of attention to detail. Your petitioner has three members, who live or work in the area that will be affected by the construction and operation of the railway authorised by the Bill and your petitioner's responsibilities extend to that area. Your petitioner owns property at 37 Lappetts Lane, South Heath, Great Missenden, Bucks HP16 0RA. Your petitioner has responsibilities over the whole of the UK, and manages many projects for large and small customers. Your petitioner's business relies on providing fast 'turn round' to customers and requires visits to and from clients, visits to suppliers and deliveries from suppliers. In addition to this the peace and tranquillity of the area is fundamental to the creative nature of our business.
7. Your Petitioner rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
8. Your petitioner uses the B485, A413, Kings Lane, Lappetts Lane, up to four times per day to conduct his business in order to visit clients, have clients visit us or receive deliveries. Therefore closure of these roads will result in severe delays, and increase the time and cost taken for your petitioner to get to work, permit clients to visit my business premises or receive deliveries for up to 2 years (Frith Hill) and also the re-alignment of Chesham road B485 and Kings Lane for up to 7 years.
9. Your petitioner is further concerned about the effects that the construction of the railway will have on his ability to conduct his business as this will jeopardise urgent deliveries which are required as a large proportion of our income relies on being able to offer a fast 'turn round' and the construction will effect this due to use by construction traffic of the A413 that is already heavily congested. Your petitioner uses the A413 regularly, up to four times a day, to access clients and visit suppliers and therefore will be directly affect by the construction of the railway.
10. Your petitioner's property, No.37 is located on Lappetts Lane which is in close proximity to the Kings Lane which is proposed to be used under the Bill as a route for construction traffic. This will deter clients from visiting the site due to the increased time and therefore cost to access it, increased isolation from main transport routes, and decreased accessibility. Client visits are vital in winning and carrying out or work and as such are a vital source of funding, and therefore a loss in client visits will reduce the viability of the our business.
11. The construction route alone Kings Lane and surrounding spoil heaps and caravan/construction site will have negative impacts on the area by increasing noise and dust in the previously tranquil area. This will result in a change in character of the area, and deter client visits who provide a vital source of funding.
12. The Property is near the construction site at the B485. This will result in the business being subject to intolerable construction activity and being seriously affected by noise, dust and vibrations. This will make the business unviable due to intolerable conditions for both employees and customers. In addition to this your petitioner is concerned about the long term health effects for employees and customers.

13. Your petitioner relies on the peace and tranquillity of the area as it is fundamental to the creative nature of the business. As such the noise dust and vibrations from the construction activity will have a serious affect on the productivity of the business.
14. Your petitioner relies on the peace and tranquillity of the area as it is fundamental to the creative nature of the business. As such your petitioner is concerned that noise levels have not been adequately addressed and when the railway is operational the noise from the frequent train services will continue to adversely affect the productivity of the business
15. Your petitioner proposes that a fully bored tunnel under the Chilterns AONB would remove most, if not all, construction traffic from the South Heath village roads and no road diversions and/or closures would be required.
16. If the Extended Chiltern Tunnel to the end of the AONB is not granted then your petitioner proposes that the alternative Extended Chiltern Tunnel to Liberty Lane near Leather Lane is built in place of the above ground construction described in the Hybrid Bill and Environmental Statement.
17. Your petitioner requests that an alternative temporary construction route is made to access the trace such that South Heath village roads are not used at anytime by construction traffic.
18. Your petitioner requests that South Heath Village roads are not used by construction traffic including HGVs during the hours of 15:00 and 09:00 in order to minimise the negative impacts of construction routes on free access to and from South Heath. A hotline should be set up allowing your petitioner to report infringement of the restricted hours detailed above.
19. Your petitioner requests compensation for businesses which are indirectly or only temporarily affected; compensation for loss of profit, loss of trade and fees of any professional advisor appointed by the business.
20. 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.

Derek Jones

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(LONDON-WEST MIDLANDS)  
BILL

PETITION OF Sowdown Limited.

AGAINST, By Counsel, &c.

Derek Jones  
Managing Director  
Sowdown Limited