

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 Paul Burke All Clear

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 Paul Burke All Clear was established in 2003 and the business deals with emergency call outs and standard call outs to customers who are experiencing problems with their drainage systems. Your Petitioner owns a property at 32 Lappetts Lane. Your Petitioner has premises at Middlegrove Farm on the Chesham Road B485 from which he keeps his equipment. Your Petitioner will be severely affected with the closure of the road and the inability to work effectively.
8. Your Petitioner's rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.
9. Your Petitioner uses the roads in the name of Lappetts Lane, Kings Lane, Chesham Road, Ballinger Road, Frith Hill to conduct his business for drainage call outs. Therefore closure of these roads will result in severe delays, and increase the time and cost taken for your Petitioner to attend to call outs for up to 2 years Frith Hill and also the re-alignment of Chesham road B485 and Kings Lane for up to 7 years.
10. Your Petitioner is further concerned about the effects that the construction of the railway will have on his business being hampered more than a usual business because this business responds to emergency drainage problems due to use by construction traffic of the A413 that is already heavily congested. Your Petitioner uses the A413 every day to carry out standard and emergency drainage problems and therefore will be directly affected by the construction of the railway.
11. Your Petitioner's property 32 Lappetts Lane South Heath is located 60 metres to Kings Lane which is proposed to be used under the Bill as a route for construction traffic. This will deter visitors from visiting the site due to the increased time and cost to access it and increased isolation from the main transport routes.
12. The Kings Lane construction route will have negative impacts on Lappetts Lane by increasing noise and dust in the previously tranquil area. This will result in a change in character of the area, and deter visitors who provide a vital source of funding.
13. The Property will be isolated by the closure, authorised by the Bill, of Frith Hill thus making it difficult to travel to areas of work.
14. The Property is near the construction site at Kings Lane. This will result in the business being subject to intolerable construction activity and be seriously affected by noise, dust and vibrations.

15. Your Petitioner is concerned that the deep cuttings, the new service roads and the ancillary portal buildings required by the proposed line will ruin the landscape of the AONB and deter customers and employees so making it unviable to continue the business
16. 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.
17. 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.
18. Your Petitioner affirms that the extensions to the fully bored Chiltern tunnel outlined above and on pages 39 to 42 of Vol2, CFA9 of the Environmental Statement are the only acceptable approaches to mitigate the impact on residents, businesses and the AONB. However if these are not preferred then the following will be required.
19. 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.
20. Your Petitioner requests that South Heath Village roads are not used by construction traffic including HGVs during the hours of 18.00 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.
21. 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.
22. 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.

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BILL

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AGAINST, By Counsel, &c.