

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – 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 Sheila Ann Cooper, owner of Hillcrest Farm, Coventry Road, Berkswell, Solihull CV7 7AZ

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.
- 3 Objection is made to Clause 18 of the Bill, at this stage, which relates to compensation for injurious affection.
- 4 Your Petitioner is directly and specifically affected by the construction works for HS2 for which there is no compensation available under the revised compensation package for HS2.
- 5 Your Petitioner and her rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.
- 6 Your Petitioner has lived in Berkswell for 20 years; a rural environment with associated important and irreplaceable biodiversity. She has ridden and bred

horses for most of her life and continues to enjoy equine pursuits. She is a dog owner and uses public footpaths and the Kenilworth Greenway network in the area. She continues to breed rare breed sheep from her smallholding and enjoys every amenity her area presently provides.

- 7 Your Petitioner is deeply concerned for the rural way of life HS2 will destroy. The proposed 60 acre accommodation and heavy plant compound situated between Berkswell and Balsall Common will cause pollution, noise, dust and massive disruption to narrow lanes and the already pressurised A452 between the two villages. It will actively cut off Berkswell village shop, Berkswell Junior School, the Scout Hut, the Church and all other important amenities from the wider community of Balsall Common. At present there is free movement between the two inextricably linked villages. Balsall Common houses the Secondary School, the Doctor's surgery, a small vibrant shopping centre, the local Police Office, the petrol station, the Jubilee Centre, the tennis club and amenity green spaces. At present your Petition cannot find a disruption free route between the two villages and beyond during the 6 year construction of Phase 1 of the HS2 Project.

Your Petitioner asks that strict and legally binding Codes of Practice are put in place to prevent the Promoter from breaching her human rights and those of the residents of Balsall Common, Berkswell and the surrounding villages. This should include the right to enjoy a normal and acceptable daily life within our rural communities. Your Petitioner asks that the Codes of Practice include free and safe passage of movement around the parishes, clean air to breath, an unpolluted environment and peaceful and stress free time to enjoy the amenity of a rural way of life. Moreover, your Petitioner asks that the years of psychological and financial uncertainty is brought to a swift end by a definitive announcement that tunnels under Balsall Common and Berkswell are the only fair and full mitigation to the directly, specifically and injurious effects on her life and those of the communities of Balsall Common, Berkswell and the wider area.

- 8 Your Petitioner is deeply concerned about the noise associated with HS2. She can, at present, hear and is often disturbed by the noise of the existing mainline trains. She, therefore, challenges the legitimacy of the HS2 Ltd noise maps and current reports on predicted noise levels in her area. She understands HS2 will run every few minutes throughout the day and during night hours. She also understands the line will be used for freight at other

times. These train movements will run more frequently than trains on the existing line and, will, if the present construction plans go ahead, be running through the area on a viaduct 30' in the air which will ensure noise carries a longer distance. Your Petitioner will, therefore, be directly, specifically and injuriously affected by the noise from HS2. Your Petitioner, therefore, humbly asks for the tunnel options for Berkswell and Balsall Common to be adopted in full and fair mitigation.

9 Your Petitioner is also deeply concerned for the environmental impact on the biodiversity of Berkswell, Balsall Common and the surrounding area which includes rare and endangered species of plants, wild life and birds including badgers, bats, owls, a heronry, deer, otters and very many more irreplaceable species. Their habitats are under threat from the construction of HS2; from disruption of sites of special scientific interest, the disturbance of meadows, bogs and woodland, the Blythe river valley and other watercourses, the loss of ancient woodland and hedgerows and, moreover, from the pouring of hundreds of thousands of tonnes of toxic concrete into the deeper environment. Flooding is already an ongoing issue and is now destined to get worse due to HS2. The whole project is being undertaken by HS2 Lts in a cavalier way from a position of indisputable ignorance and with impunity. Your Petitioner, respectfully, suggests the Environmental Impact Assessment is seriously flawed. It takes 200/300 years for an oak tree to mature and a similar time for any biodiversity that remains to succeed and regenerate; environmental offsetting in a completely different area is no answer to our problems. We need to protect and cherish what we have; once it has gone, it has gone for ever. Your humble Petitioner will be directly, specifically and injuriously affected by the loss of environmental amenity and biodiversity in her area which can only be fairly and fully mitigated by the provision of tunnels under the wonderful and bio diverse landscape of Berkswell, Balsall Common and the surrounding areas.

10 Your Petitioner asks that the Promoter ensures safe rights of way are made available for exercising equines safely on the roads of Berkswell, Balsall Common and the surrounding area during the 6 year construction process. Equines and other farm animals are inherently unpredictable; sudden and unexpected noise and/or movement is a health and safety issue for both horse and rider. Your Petitioner fears that unless steps are taken to

preserve the amenity for exercising horses and ponies in a safe environment during the construction process fatalities of riders and/or horses and, moreover, vehicle drivers is a strong possibility; it will be too late when it happens. This is a health and safety and animal welfare issue of enormous significance in an area such as mine where horse riding is a popular rural pastime. HS2 Ltd have not taken this way of life into consideration.

Your Petitioner also considers the riding of horses alongside HS2 and under or, more seriously, over the line, after construction, a potential animal welfare and health and safety issue and of considerable concern. The sudden and unexpected noise spikes and flash movement of 200+ mph trains will be directly responsible for the inherently unpredictable behaviour of equines and other farm animals as described above. Your Petitioner challenges the legitimacy of HS2 propaganda that reports animals will get used to sudden noise and movement using the 80 mph Airdrie to Bathgate provincial railway in Scotland as their example. They compounded their ignorance by using a horse charity to confirm data, however, this charity had no knowledge their name was being used to affirm the disputable premise in relation to HS2 which is something entirely different and incomparable. This shows the Promoter to have no first hand knowledge of horses, riding or the movement of farm animals; your Petitioner asserts the Promoter should make provision for equestrian pursuits to continue in a safe environment after the line is commissioned. All necessary steps should be taken to ensure the safe passage of equines and farm animals and their keepers.

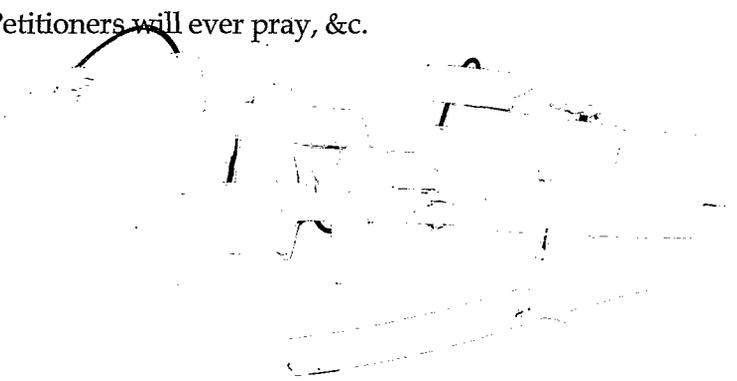
Your Petitioner feels she is unlikely to be able to continue to enjoy equestrian pursuits safely in the vicinity of HS2; she is, therefore, directly, specifically and injuriously affected by High Speed Rail. She humbly asks, therefore, that the tunnel options for Berkswell and Balsall Common are adopted, in full and fair mitigation, enabling her to continue equestrian pursuits in safety together with the many other horse owners and livery businesses in Balsall Common, Berkswell and the surrounding areas.

- 11 Your Petitioner makes no apology for the emotional nature of her petition. She humbly invites the Rt. Hon. Members of the Select Committee to come to see this wonderful rural area and, in that way, understand and judge, for themselves, the harm construction of HS2, in its present form, will do to the area and to the day to day lives of your Petitioner and the communities of Berkswell, Balsall Common and the surrounding area. Your Petitioner finds herself directly, specifically and injuriously affected by the HS2 Project

and humbly asks for the tunnel options for Berkswell and Balsall Common to be adopted in full and fair mitigation.

YOUR PETITIONER therefore humbly prays 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 Petitioner 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.



BACKSHEET:

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CONTACT DETAILS

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