

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 Jonathan Nigel Graham King and Suzanne Jennifer King

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 petitioners’ are the freehold owners of Rose Cottage Dunsmore HP22 6QH, in which the Petitioners have lived since 2000. The Petitioners’ bought the property because of its scenic location in quiet surroundings. The Petitioners are members of The Dunsmore Village Hall Association and The Dunsmore Society who have engaged with HS2 Ltd.at Bilateral and Forum meetings and have been engaged in the consultations.
- 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 Petitioners aver that they are already currently affected, suffering blight, and will continue to be severely affected both in the construction of and operation of the proposed HS2 railway.

Current problems injuriously affecting your Petitioners

The Petitioners' believe that their property is now blighted as it is in the HS2 corridor. (A description now used by Estate Agents).

They bought their property in 2000 as a peaceful tranquil location to bring up their family because of its location in the AoNB, and, in the then much sought after settlement of Dunsmore. They bought it at a premium price despite much renovation being required.

Problems in the Construction and Operation phases are injurious to the Petitioners.

Your Petitioners aver that they will be seriously and adversely affected during both these phases.

The impact on the family of noise, vibration, and light pollution during construction, and thereafter, on health, from the high frequency of trains due to be run, is considered by the Petitioners to be injurious to Your Petitioners and their young family especially as one of their children is autistic. As such, she is unable to cope with noise and in fact any disruption. Your Petitioners avow that this project will cause long term psychological damage to their autistic daughter and this will be a potential risk to her siblings. This situation will give rise to an intolerable situation for Your Petitioners.

The children are educated in Great Missenden and the journey involves use of the A413 which HS2 admit will be severely congested during rush hours, when the children are being transported to school. Your Petitioner, Mr King has to visit his Step- Father who lives in Kingshill and suffers from dementia, and although he has a carer, Your Petitioner Mr King has to visit regularly in order to allow him to remain in his home, and as he has the legal Power of Attorney he has a responsibility to ensure his property and care is being maintained. This entails the use of the A413 on a regular basis.

There will be serious disruption of traffic and substantial delays caused by the daily addition of 300 HGV's envisaged by HS2Ltd using the A413, B4009 and the A41 during construction. The proposed closure of Smalldene Lane will mean that all vehicles will have to use the Dunsmore Lane junction with the A413, this junction was not given special analysis by HS2Ltd during the Environmental Statement despite comments in response that the traffic flows asserted by them are completely wrong. The closure of Smalldene Lane will

force your Petitioner when returning from Wendover to use the A413 and stop and make a right turn to get home. Crossing continuous and heavy traffic with limited visibility putting your petitioner, his wife and children and others at risk.

Your Petitioner Mr King works from home and has regular deliveries to his property, delays by the delivery company will lead to increased costs for your Petitioner and there is a risk that the delivery company will regard the journey as not worth the time. Your Petitioner Mr King also has a storage unit at Hartley Farm which is to be compulsory purchased, this will necessitate Your Petitioner in finding alternative premises which may will incur an increase in costs for him

The congestion on the A413 will have a detrimental effect on the delivery of Emergency Services to Dunsmore and will impact on the journey times to the Health Care facilities located in Wendover. This could be is injurious to the Petitioners and their children.

Your Petitioners have a child who is seriously asthmatic, she has had to be taken to Stoke Mandeville Accident and Emergency by her parents in an emergency, the chalk dust from the construction will be a potential serious health hazard during construction. This risk appertains to her school in Great Missenden and also on visits to Wendover as the local shopping venue and also the surrounding areas during construction.

Your Petitioners currently enjoy little light pollution. The need for powerful lighting on the construction site and the construction camps will have a negative impact on "dark skies".

Noise from construction and operation will destroy the tranquility of the property. Although approximately 1km from the proposed line, there is nothing in the way to act as a noise barrier. HS2 Ltd noise assessment has not taken into account the topography of the valley or the tranquility levels. HS2 have repeatedly ignored requests to assess baseline noise levels, and although acknowledging that noise will be an issue in the valley have chosen to ignore it.

The Chilterns AONB would be permanently and irrevocably scarred by the construction of two viaducts and an embankment

with heights ranging from 10 to 18 metres and the associated catenary. The line would be visible from numerous viewpoints around Dunsmore. The cumulative effect would be overpowering and would destroy what is a Nationally protected landscape and the area we are in will be irrevocably destroyed.

The effect of a maximum 36 x 400 meter trains per hour will totally destroy the tranquility of Dunsmore and its environs. As mentioned above Dunsmore enjoys relatively high levels of tranquility and it is a matter for regret, that, despite requests to HS2Ltd they chose not to undertake any sound surveys here, this, despite us having a private study done to establish a baseline level of noise in Dunsmore and its environs. HS2Ltd have admitted that, as our settlement is located above the line we would experience serious aural and visual disturbance yet have not produced any solution to this problem. The issue of night-time maintenance and track grinding is also an area of great concern to your Petitioners.

The noise from these trains will cause an intolerable strain upon Your Petitioners' life and that of their children. During operation the noise will be every 90 seconds and will vary according to the trains position either on a viaduct or passing along the embankment. This fluctuation has been shown in studies to present more annoyance and associated health risks than a constant loud noise, this will have an injurious effect on their autistic daughter.

Your Petitioners aver that this section of the line is probably the worst affected in the whole of the AoNB and HS2Ltd have failed to offer any meaningful or significant mitigation for this area.

Remedies

In the light of all the issues above your Petitioners assert that the only acceptable form of mitigation in this area would be a fully bored tunnel throughout the AoNB. HS2 Ltd. have acknowledged that this is technically feasible.

Failing the above, the 2 viaducts and embankment should be totally enclosed as per ARUP concept. Screening must be with mature trees to ensure the maximum screening effect.

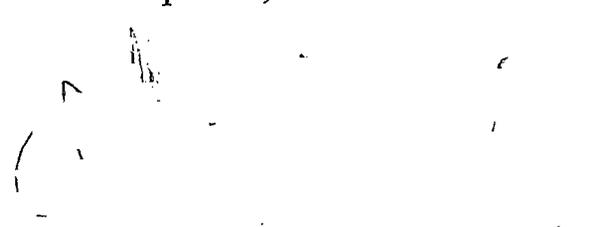
There should be a legally binding Code of Construction Practice, there must be independent oversight and there should be financial penalties for breaches.

There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and his rights, interests and property and for which no adequate provision is made to protect your Petitioner.

YOUR PETITIONER 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 Petitioner will ever pray, &c.

Signature of Petitioner in person,



IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013- 14

HIGH SPEED RAIL
(LONDON-WEST MIDLANDS)
BILL

PETITIONER OF Johnathon King
& Suzanne King

AGAINST, By Counsel, &c.

Johnathon & Suzanne King