

IN PARLIAMENT
HOUSE OF COMMONS
SESSION (2013-2014)

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 AVM(R) GEORGE BLACK, CB, OBE, AFC*, FRAeS, FI Mgt RAF Retd.

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 is the freehold owner of Bon-Accord, Nash Lee Lane, Wendover, Buckinghamshire, HP22 6BG, in which he has lived since 2007. The property of the Petitioner is located 2.5 miles North West of Wendover and was purchased new for his retirement. It is located approximately 60 metres from the planned rail line and in close proximity to the northern portal of the proposed Wendover Green tunnel.
- 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 avers that he is already currently affected, suffering blight, and will continue to be severely affected both in the construction of and operation of the proposed HS2 railway adjacent to his property.

Current problems injuriously affecting your Petitioner

Blight and Inability to Sell Property and Misleading Statements by HS2

Your Petitioner received signed letters from Mr Secretary McLoughlin (November 2012) and CEO HS2 Ltd (July 2013) clearly stating that the Petitioner's Property was partly or wholly Blighted and within the Safeguarded Area for construction of the railway. Your petitioner was advised that in the circumstances a Blight Notice for compensation could be submitted. This was subsequently rejected by a member of the HS2 Property Board stating the Petitioner's property was no longer required to build the railway and was not in the Safeguarded Area. Your Petitioner referred the matter to the Rt Hon David Lidington MP who sought clarification from CEO HS2 Ltd. An acknowledgement admitted that a strip of land on the property was "marginally" inside the Safeguarded Area and conceded that the Petitioner could perhaps qualify for compensation under the terms of a "Rural Support Package". However, this scheme had yet to be approved and the compensation terms were not known. Your Petitioner wishes to protest in the strongest terms at the erroneous statements made by senior HS2 staff which the Petitioner considers unacceptable and injurious to health. The Petitioner and his wife are both over 81 years old and his wife suffered a Stroke 18 months ago. Your Petitioner also wishes to protest recent statements by CEO HS2 to David Lidington that the Department has no further Mitigation solutions in the pipeline for the Petitioner's property in Nash Lee Lane. The petitioner further understands that details of new compensation schemes will not be available until later in 2014.

Problems in the Construction phase injurious to the Petitioner.

NASH LEE CONSTRUCTION AREA

Your Petitioner is seriously concerned by the plan to locate a Construction Area in the field directly opposite the Petitioner's Property in Nash Lee Lane, Wendover. This is a narrow lane with an exit at only one end. Constantly operating machinery, but more importantly the associated volume of continuous heavy vehicle traffic will create an unacceptable level of congestion. Added to this will be intolerable levels of noise, dust and pollution in the atmosphere. Your Petitioner also has very serious concerns over the ease of access in this area for emergency vehicle traffic to reach the scene of an incident. Moreover your Petitioner is worried by the disruptive effect on local movement and the ability to make appointments, or important engagements on time. Your Petitioner therefore requests that urgent reconsideration be given to finding an Alternative Construction Site. Your Petitioner protests in the strongest terms

about living in such conditions which are clearly severely injurious to ones health, particularly so in later life.

Problems during operation injurious to the Petitioner

Visual Impact

Your Petitioner understands that HS2 Ltd plan to erect 10 metre Sound Barriers and and high power gantries on this part of the route. Given the location of these facilities your Petitioner asserts that they will totally obliterate his views over open countryside and extending to the Chiltern Hills. The Petitioner bought the property because of its scenic location in quiet surroundings and contends that in the circumstances HS2 Ltd have a moral responsibility to provide a greater measure of effective mitigation for countering these outstanding matters. Your Petitioner asserts that this situation demands the maximum compensation package as quickly as possible to allow him to sell the property he purchased for his retirement. The close proximity of the proposed rail line is deterring all potential buyers.

The impact of noise, vibration, and light pollution, including electric sparking on health from the high frequency of trains is considered by this Petitioner to be totally unacceptable especially in retirement.

Remedies

Your Petitioner understands the Constituents of Wendover are asking HS 2 to position a Bored Tunnel in their area. Should this be accepted the Northern entry and exit points for the Tunnel are in close proximity to the Petitioner's Property in Nash Lee Lane, Wendover. Even allowing for limited attenuation of noise and vibration levels the frequency of trains over an 18 hour day and given night maintenance work this becomes intolerable and seriously injurious to good health and well-being, particularly in later life. Your Petitioner has tried unsuccessfully to sell his house and relocate but without a single buyer for over 9 months. Your Petitioner bought the property 7 years ago from new for peace and tranquillity in the later years of life and clearly the quality of life has been completely destroyed by the HS2 Project. Your Petitioner therefore seeks the most generous Compensation Package from HS2 to relocate as soon as possible.

10. 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,

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BILL

PETITION OF GEORGE BLACK

AGAINST, By Counsel, &c.

George Black