

0607

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

High Speed Rail (London – West Midlands) Bill

Against the Bill – on Merits – Praying to be heard by counsel, etc.

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION OF THE WENDOVER UNIVERSITY OF THE THIRD AGE (U3A) (Registered Charity No 1083897)

SHEWETH as follows:

1. A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House entitled “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 Secretary Patrick 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, 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 compulsory acquisition, the extinction and exclusion of rights over land, the temporary possession and use of land, planning permission and deregulation in connection with, inter alia, heritage and environmental matters. Clauses 37 to 52 deal with railway matters, nominated and statutory undertakers, regeneration and reinstatement and further high speed rail works. Clauses 53 to 65 contain miscellaneous and general provisions.
4. The nominated undertaker (defined in the Bill and hereinafter referred to as “the nominated undertaker”) is authorised by the Bill to construct and maintain the works specified in Schedule 1 to the Bill being works for the construction of Phase One of High Speed 2 and works consequent on or incidental to such works. These works are called “the scheduled works”.

5. Your petitioner (hereinafter referred to as "the Petitioner") is The Wendover University of the Third Age (U3A) (Registered Charity No 1083897)

Your petitioner is a major user of St Mary's Church, Church Lane, Wendover.

The University of the Third Age (U3A) movement is an unique and exciting organisation which provides, through its U3As, life-enhancing and life-changing opportunities. Retired and semi-retired people come together and learn together, not for qualifications but for its own reward: the sheer joy of discovery!

Members share their skills and life experiences: the learners teach and the teachers learn, and there is no distinction between them.

The U3A movement is supported by its national organisation, the Third Age Trust.

Wendover U3A was formed in the year 2000 and currently has a membership of 397 local people and a waiting list of 68.

Monthly meetings are held at St Mary's Church, Church Lane, Wendover with a regular attendance in the region of 200 members. At these meetings various administrative matters are dealt with and a visiting speaker delivers a presentation.

Additional monthly meetings are held by Specialist Study Groups of up to 40 members. Eight of these monthly meetings are held in St Mary's Centre which is located within the Church building.

As the majority of the members are of the older generation it is vitally important that the meetings are held in a comfortable and quiet environment.

If St Mary's Church and Centre became unusable due to noise pollution from the construction or operation of the HS2 railway Wendover U3A would not be able to operate in that location.

6. There are no alternative venues of adequate size for our main meetings in Wendover or the surrounding area.

Your petitioner has explored the possibility of moving to an alternative venue outside our immediate area.

The use of Aylesbury Waterside Theatre was investigated but the cost of auditorium hire, provision of transport for less able members and car parking for others would be over £4,000.00 per month. Alternative venues for the Study Groups would also incur additional costs.

To move your petitioners activities away from Wendover would also inevitably result in a considerable loss of membership and therefore annual subscription revenue.

In conclusion Wendover USA would not be able to operate in such a financial environment resulting in a considerable loss of amenity to the community.

7. The bill would authorise the construction and operation of the railway through and near Wendover. The proposed line would run within 275 metres of St Mary's Church building. The green tunnel which is currently proposed for Wendover will not benefit St. Mary's as the church lies somewhat away from the village centre. Your Petitioner's operations will therefore be exposed to all the sounds of high speed trains on the Small Dean viaduct and the embankment between that viaduct and the entrance /exit of the Wendover green tunnel.
8. Your Petitioner and his interests are injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.
9. St Mary's Church is shown in the Zone of Theoretical Visibility in ES 3.5.1.7.2, and in maps CT-05-038, CT-06-038, CT-10-020, LV-04-037 and SV-05-019.
10. The Environmental Statement that accompanies the Bill acknowledges the expected detrimental impacts (particularly with respect to noise) on your Petitioner's venue and its activities. These are specifically referenced at 11.3.15 and 11.3.20 of the Community Forum Area report for Dunsmore, Wendover and Halton (CFA10). Representatives from HS2 Ltd have further acknowledged those detrimental impacts in meetings with your Petitioner. The speech by Secretary Patrick McLoughlin in the House of Commons debate at the second (Hansard, 28 Apr 2014 : Column 569). Your Petitioner is encouraged that there is such widespread and senior ministerial recognition of the potential issues, but deeply concerned at the lack of effective mitigation that has been proposed.
11. During your Petitioner's meeting with HS2 Ltd, equivalent continuous (average) sound levels (*LAeq*) impacting St Mary's during construction and operation were discussed. HS2 Ltd suggested projected equivalent continuous (average) sound levels of 56-65 decibels during construction and 65-70 decibels during operation. They also recognized that peak noise during operation (when a train passes) would be substantially higher than the equivalent continuous sound levels published in the Environmental Statement. By coincidence, at the same time that that meeting was happening in the church a local drumming group was practicing in St Mary's Centre. HS2 Ltd's acoustician estimated the level of noise from that drumming within the church at 45 decibels, an amount that was barely acceptable for a meeting in church. It is quite clear that both the construction and the operational phases of the planned HS2 project would make your petitioner's activities unsustainable.
12. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken in and near Wendover. Your Petitioner's concerns about construction focus primarily on the Small Dean viaduct and the embankment between the northern end of the Small Dean viaduct and the southern end of the Wendover green tunnel. They also include ancillary works such as satellite compounds, auto-transformer

stations, balancing ponds and portal buildings. Your Petitioner's concerns about operation of the railway focus primarily on the issue of noise and visual intrusion of trains operating along the same stretch of line from the Small Dean viaduct to the southern end of the Wendover green tunnel. Your Petitioner is also concerned about the broader impacts of the railway on the community of Wendover.

13. Your Petitioner's main objective is to persuade your Honourable House to lower the line into a fully-bored tunnel as it passes Wendover.

Problems caused by the construction process of the scheduled works

14. Your Petitioner avers that during construction of the scheduled works there would be significant noise and visual intrusion that will significantly impact the peaceful and successful use of St Mary's Church, as follows:
 15. Most particularly, your Petitioner is concerned about the noise from machines digging the green tunnel, moving spoil, constructing embankments and viaducts and traffic connected therewith, which will cause significant noise pollution and interference to the church.
 16. HS2 Ltd have acknowledged that construction noise will be audible within the church and will significantly impact on activities held within the church during construction periods including meetings of community groups such as U3A.
 17. Your Petitioner is also concerned about the disruption of traffic and substantial delays along all local roads, caused by around 300 HGVs per day, especially the A413 and the B4009. These roads are already very congested during weekday rush hour and the addition of further construction-related traffic at those times is unsustainable and will cause disruption both to our activities and those of the community we serve.
 18. Your Petitioner is also concerned about the impact of construction-related dust, given the many older people that use the church, many of whom have a propensity to respiratory illnesses.

Problems caused by the operation of HS2

19. Your Petitioner avers that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects:
 20. The whole atmosphere of peace and beauty in the immediate vicinity of the church would be permanently scarred by the obtrusive viaduct and embankment 42 feet (13 metres)

above ground level with gantries a further 16 feet (5 metres) high. The line would be visible from numerous viewpoints around the church and its environs. It would be overbearing and dominant in the landscape.

21. The noise from trains up to 400 metres long passing every 2 minutes would cause an intolerable strain upon your petitioners members. It will also cause a fundamental reduction in the utility of the church as a meeting venue. As noted in paragraph 11 above, HS2 Ltd has acknowledged in meetings with your Petitioner that the noise from trains (on a equivalent continuous basis) will be even greater than that experienced during the construction phase. This disregards the fact that on peak level basis as a train passes, the noise will be even greater and more disruptive making the true impact far more substantial than HS2 Ltd has yet disclosed.

The benefits of a fully-bored tunnel

22. Your Petitioner proposes that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover. This would avoid most of the disadvantages set out in paragraphs 14-18 above and all the disadvantages set out in paragraphs 19-21 above.
23. Chiltern Ridges Action Group has proposed such a fully-bored tunnel in a report by Peter Brett Associates, and HS2 Ltd has confirmed that from an engineering and construction point of view it is feasible. HS2 Ltd has said that such a tunnel would cost £330 million more than the present proposal. However, it has refused to divulge any detail of this figure, or even the tender documents on which it was based, and there is considerable evidence that the figure is seriously exaggerated. Moreover, it seems that HS2 Ltd has not taken into account the value of the benefits which a fully-bored tunnel would bring, such as the money saved by not having to compulsorily purchase properties and land, or move electricity pylons, and avoiding environmental damage within the Chilterns AONB. These benefits have been valued at over £500 million.
24. A similar fully-bored tunnel has also been proposed by Chiltern, Aylesbury Vale and Buckinghamshire County Councils along with the Chilterns Conservation Board, following a further study produced by Peter Brett Associates. It proposes a revised Green Route, all in tunnel, which goes under the River Misbourne at Chalfont St Giles as far as the A404. The route then follows a line east of Little Kingshill and west of Little Missenden to cross under the River Misbourne, Chiltern Line and A413. It then runs parallel to the A413 passing to the east of Great Missenden with an intervention gap close to the A413 south of Bowood Lane. This is close to existing transport routes, lessening the effect of this open section. Access to the required gap for emergency purposes is accessible from the A413 and will be entirely underground.
25. Both of these proposed fully-bored tunnel solutions substantially mitigate the foregoing impacts to the St Mary's Church and its operations, listed under paragraphs 14-21 above.

26. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended by the inclusion of a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover, then the Bill should not be allowed to pass into law.

Mitigation for construction of a fully-bored tunnel

27. If a fully-bored tunnel is included in the Bill, your Petitioner proposes that at least the following mitigation be adopted for its construction:
28. That the operation of construction traffic on the A413 and the B4009 only be permitted during the agreed working hours, excluding rush hour (7-9am and 5-7pm) on weekdays.
29. That the number of construction vehicles using local roads be limited, and at all times be such as not to inconvenience other road users.
30. That the removed spoil should not be permitted to be dumped in the Chilterns AONB, and that all spoil should be removed by rail, not road.
31. That a traffic management plan be agreed before construction starts with the local county, district and parish councils, such plan to go to arbitration if agreement cannot be reached.
32. That acceptable noise levels be agreed before construction starts with the local county, district and parish councils, such noise levels to go to arbitration if agreement cannot be reached.
33. That noise levels be monitored on a frequent and regular basis by an independent organisation, with the result of such monitoring be immediately made public.
34. That the maximum level of toxic traffic emissions from construction traffic be agreed before construction starts with the local county, district and parish councils, such emission level to go to arbitration if agreement cannot be reached.
35. That funding be made available to Wendover Health Centre and local hospitals for the provision of any necessary additional facilities to cope with increased health problems, such as sleep disturbance, respiratory illness and hypertension, and including those caused by traffic emissions and dust created by the construction of the scheduled works.
36. That funding be made available to the local police force for increased staffing likely to be required due to the advent of a substantial construction workforce.
37. That full compensation for damage to property or loss in property value caused by construction of the scheduled works be available to all those who suffer such loss.
38. That the maintenance loop at present proposed to be located to the north of Wendover be moved to an area where there are much larger permanent works scheduled.

39. That the Code of Construction Practice, and regulations and agreements dealing with all the above matters in paragraphs 28-38, be legally enforceable both at criminal and civil law, with civil law breaches being first dealt with by an Ombudsman, and the local county council having the right to bring both criminal and civil proceedings.

Mitigation for construction of the present proposal

40. The impact on St Mary's Church and its activities by the proposed scheme is such that a fully-bored tunnel is the only realistic and practical approach to mitigation.
41. However, if the proposal for a fully-bored tunnel is rejected your Petitioner proposes that the existing proposed green tunnel be extended to the south and north of Wendover, to include a solution in which the line passes under rather than over the A413 road and Chiltern line railway at Small Dean.
42. Given the inherent uncertainty of HS2 Ltd's sound level projections, your Petitioner also proposes a legally enforceable noise limit (based on WHO guidelines) on the operation of trains as they pass St Mary's church. Any breach of those limits would result either in the immediate payment of compensation to your Petitioner or a halt in operation of the railway until sound levels are reduced.
43. In addition, under this more minimal approach to mitigation, we would propose that the specific construction measures outlined in paragraphs 28 to 38 above be adopted.

YOUR PETITIONER therefore prays your Honourable House that the Bill may not be allowed to pass into law as it now stands and that he may be heard by Counsel, Agent and witnesses in support of the allegations of this Petition against such of the clauses and provisions of the Bill as affect the rights and interests of your Petitioner and in support of such other clauses, amendments or provisions as may be necessary or expedient for his protection, or that such other relief may be given to your Petitioner in the premises as your Honourable House may deem meet.

AND your Petitioner will ever pray, etc.

[signed]



Wendover University of the Third Age

(Registered Charity No. 1083897)

Please reply to:

Penllyn

22 Hale Road

Wendover

Aylesbury

Bucks., HP22 6NF

We, the Wendover University of the Third Age (U3A) humbly appoint Graham Dawson in all aspects of the High Speed Rail (London—West Midlands) Bill.

Signed by

Iris I. Jenkins, Chairman,

Susan Cornish, Secretary

Martin Thomas, Treasurer

WENDOVER UNIVERSITY OF THE THIRD AGE

Minutes of the meeting held on 25th March 2014 at
"Springwood", Church Lane, Great Kimble

PRESENT – Iris Jenkins, Graham Dawson, Belinda Horn, Veronica Lockett, Martin Thomas, Chris Seagrave, Susan Cornish.

1. APOLOGIES FOR ABSENCE – Geoff Pyke, Barbara Potter and Tony Morris.
2. MINUTES OF THE LAST MEETING HELD ON 25th February 2014

These were signed as a true and correct record.

3. MATTERS ARISING FROM THE LAST MEETING

Susan gave Martin the Performance Licence which she has received from the U3A headquarters.

Iris and Graham reported on the meeting with HS2 representatives at the Church. The points they raised were listened to, but it was felt that although the HS2 company appreciated the difficulties probably very little would be done to mitigate the noise. Graham confirmed the meeting by email afterwards, and also gave them a copy of his report on the expenses we would incur if we had to move location.

It was agreed that we should enter a petition for mitigation from Wendover U3A and Graham would ask Rob Phipps for help in filling in the form. Susan to email Antony Chapman to tell him we will enter a petition and ask him to advise us the date of the next meeting for advice on how to do this.

Iris is still awaiting a job description from some of the committee members.

4. NEW MEMBERS MEETING

Barbara had invited 52 new members to the meeting but only 18 have replied and 13 have accepted. This is a very disappointing number. There was a discussion on encouraging more participation from the members, and it was felt we could emphasize the ethos of the U3A as a self help organisation. Belinda will provide the milk and cookies. Committee members to be at the Church for 9am.

5. HEADED NOTEPAPER

Belinda will send everyone the template for the headed notepaper which will be in Arial font. All letters should be written in that font.

6. COMMITTEE MEMBERS REPORTS

Iris Jenkins

She will again put out a plea for some up to date photographs for the Archive.

Martin Thomas

He has started on compiling a list of equipment.

Lloyds Bank View Access is working well and he finds it useful.

He handed out half year estimates of the finances which appear satisfactory, with an estimate of £5,789 in reserve by the end of the financial year.

The direct mail list has been updated. Graham requested that he check Mary Robertson was not on this list. Also the Advice Information for Treasurers had been updated and should be read by all Trustees.

Graham Dawson

Groups – Science has 9 people interested, Humour has 10 people, Ology had 11 names on the list but the meeting Veronica had suggested for 1st April has had to be cancelled for the present. Table Tennis 2 has a convenor, Peter Louis, but at present there are only 6 people interested and he feels a few more members are needed.

It was decided that at the New Members meeting, and at the Main Meeting, Graham would emphasis that everyone should take part as the U3A is a self help group and not an organisation to just sit back and be entertained. He has a DVD about the U3A which might be suitable to get this point over, but will run it through to check that it is.

At the last meeting the black sacks with the coffee beakers were put in the Church bins and he had a complaint about this. Geoff will be asked to add a note in the catering instructions that these bags should be removed from the Church. We hope this was a one off as Jan was not at the meeting.

Graham and Veronica held a meeting in St. Marys for the Liason Group. The subject was Outings and Holidays. It was attended by representatives from Aylesbury Vale, Aston Clinton, Weston Turville, Tring and Mid Bucks. They found it interesting how other U3As organised their trips, but also a little worrying that some groups were not very well organised.

Veronica Lockett

Elwin Stevens is no longer a member.

Jan has said she will be taking a group to Lanzarote next year, and arranging a Travellers Tale holiday to Barcelona. There will be a U3A official holiday to Kent in June next year. Iris said could we perhaps have a Lakes and Mountains holiday for those people who didn't like the heat.

Belinda Horn

Belinda has 22 members who are interested in going to Heathrow terminal 2 airport to test the facilities. She has arranged it for 9th April.

Rosemary Williams of Weston Turville has asked whether she could have access to the performance page of the web site. It was agreed that this was not wise. Iris will put the information on the rolling screen and it will be on the Web site.

Paul Martigny has agreed to run a beginners computer group with Derek Arnott.

The loud speakers Belinda fixed up for the film group worked, but there was trouble with the Optoma. It was decided that as we had money in the equipment reserve Belinda and Geoff would research a new one which included speakers in the package.

The speaker for the next meeting has confirmed and will bring his own slide projector. The Liason group speakers list is now updated.

There are now new features for the Web site and Belinda will explain these to the conveners at the meeting on the 31st March.

Chris Seagrave

He is still looking into cost of printing the newsletter.

Susan Cornish

She read out a letter from George Rivas thanking us for the bottle of wine.

Various information from the U3A were handed out to some committee members.

7. ANY OTHER BUSINESS

Derek Arnott has reported trouble when doing the Travel Team page of the newsletter. Members must register again for the U3A Home Page.

8. DATE OF THE NEXT MEETING

Iris was thanked for her hospitality. The next meeting will be on Tuesday 29th April at Belinda's house 20 Bryants Acre, Wendover at 9.30am

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.....29/4/14.....
Date

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON TO WEST MIDLANDS) BILL
PETITION OF Wendover University of the Third Age

Against the Bill – on merits – by Counsel, etc.

Contact details: Graham Dawson
on behalf of Wendover University of the Third Age (U3A)