

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 David Gilbert Havard

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 a freehold owner of Springfield and has lived in Dunsmore since 1988. Dunsmore is the highest settlement in The Chiltern Area of Outstanding Natural Beauty (AONB), located some 800ft above sea level. Dunsmore experiences high levels of tranquillity and exceptionally low levels of light pollution. Springfield overlooks the Misbourne Valley and will have totally unobstructed views of the proposed line immediately South of Wendover.
- 8 Your Petitioners rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
- 9 Your Petitioner avers that he will be seriously and adversely affected during both the construction phase and then during operation. Your Petitioner is a member of both the Dunsmore Village Hall Association and the Dunsmore Society. These organizations have met with HS2 Ltd both in CFA10 and in bi-lateral meetings in Dunsmore itself. HS2 Ltd staff were shown the problems that would be experienced in the settlement. David Lidington MP also attended a meeting of Dunsmore villagers, held at your Petitioner’s abode, to discuss the huge visual and noise impact that the proposed HS2 line would have.

**Problems caused by the Construction and/or Operational Phase which will injuriously impact upon your Petitioner:-**

- 1 Your petitioner fully endorses the separate petition submitted by your Petitioner’s wife, Vanessa Havard, but in addition avers that, during both the proposed construction of HS2 and its operation (following the completion of such scheduled works), it would have the following adverse effects:-

The primary feature of your Petitioner’s house is its outstanding and uninterrupted far-reaching views across the Misbourne Valley and indeed it was this very feature which caused your Petitioner to pay a premium asking price for the property in 1988. The wealth tied up in the property is a significant part of your Petitioner’s pension provision. The value of the property and hence your Petitioner’s retirement provision has been considerably reduced as a result of the HS2 blight. Your Petitioner is distressed that no compensation is available to him. Your Petitioner had, up until the HS2 proposals were published, increased the value of his property by costly improvements, which have consequently been nullified.

**Remedial Measures: -**

- 1 A fully bored tunnel would ameliorate the eventual impact of HS2 on the Misbourne Valley and thus lessen the consequential reduction in the value of properties in the vicinity.
- 2 There should be a much more inclusive and wide-ranging Compensation Scheme in force along the whole route; one that acknowledges that the detrimental effects of this project, both during construction and during operation, will be severe. It should fully cater for the need to sell during the construction period.

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.

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AGAINST, By Counsel, &c.  
David Gilbert Havard