

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 Vanessa Havard

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, 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 across the valley and will have totally unobstructed views of the proposed line immediately South of Wendover.
- 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 she will be seriously and adversely affected during both the construction phase and then during operation. Your Petitioner is a member of The Dunsmore Society and Chair of The Dunsmore Village Hall Association. These organisations have met with HS2Ltd both in CFA10 and in bi-

lateral meetings in Dunsmore itself.

HS2Ltd staff was shown the problems that would be experienced in the settlement. David Lidington MP also attended a meeting of Dunsmore villagers held at Springfield to discuss the huge visual and noise impact HS2 line would have.

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

1. Your petitioner is the mother/carer of a daughter with significant complex medical conditions. She needs to be available to support her daughter whenever she is away from her mother's care, i.e. whilst she is at college in Amersham. She also makes several return journeys per week to Wendover Health Centre to collect her daughter's considerable amount of essential medications and prescribed feed on which she depends for her total nutrition. Deliveries to the property of dialysis supplies and feeding equipment take place twice a month. Additionally, there are weekly clinical waste collections. The 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 will impact on her ability to cater for her daughter's medical needs. She is also concerned that emergency vehicles will be inevitably delayed and this could have serious consequences both from the ambulance and fire service point of view. Oxygen is stored at the property which increases the fire risk. Additionally, she is required to make several journeys a month to take her daughter to hospital appointments spread across 4 different hospitals, for which, of course, she cannot be late.

2. Your petitioner is gravely concerned by the disruption to power supplies caused by the need to move the electricity pylons near the line as this will impact on her daughter's dependence upon electricity to power her medical equipment particularly the haemodialysis machine which your Petitioner uses for 5 hours, 3 times a week to maintain her daughter's health. Power supply disruption during one of these sessions would cause blood loss as the dialysis circuit would need to be abandoned.

3. The location of your Petitioner's home overlooks the Misbourne

Valley and has extensive uninterrupted views from the house and garden which will be lost forever. The outstanding feature of your Petitioner's home is its aspect and it is highly unlikely that she could realize its pre-blight value in the event that it becomes necessary to sell the property. Your Petitioner had planned to down-size to a smaller and easier to maintain property on her husband's retirement and these plans have been thrown into disarray.

4. Your Petitioner loves the Chiltern AONB in which she lives and derives great pleasure from its beauty and tranquillity. She spends her leisure time regularly walking the footpaths and tending her garden whilst enjoying the peace. She is most concerned that the unique and irreplaceable Chiltern AONB will be scarred and lost to all those who currently enjoy this oasis of calm and to future generations.

5. Your Petitioner objects to the two viaducts and an embankment with heights ranging from 10 to 18 metres and the associated catenary on top of that. The line would be visible from numerous viewpoints around Dunsmore and from your Petitioner's own property. Your Petitioner objects to the location of balancing ponds and feeder stations in the Chiltern AONB as these once again will drastically alter the unique character of the area and have a visual impact upon her view.

6. As previously mentioned, Dunsmore is an area relatively free from light pollution and the need for powerful lighting on the construction site and the construction camps will have a deleterious effect on the "dark skies" currently enjoyed in the settlement. Your Petitioner and her daughter find enjoying the starry night skies therapeutic and will lose this amenity and this will affect their quality of life.

7. HS2Ltd has not offered any mitigation to the problem of the acknowledged noise disturbance that will be generated by the construction period or the trains running along the line. The noise, especially as it will be fluctuating noise, will destroy the tranquillity your Petitioner enjoys and finds tremendously therapeutic in her full-time carer role. Your Petitioner will be severely adversely affected by noise generated throughout the construction period and beyond and is concerned that lack of sleep will affect her ability to care and support her daughter.

8. The value of your Petitioner's house has already been adversely affected due to the plan to construct HS2; it will devalue further during the actual construction when it will, owing to its location, become unsaleable. Your Petitioner avers that it is unfair that householders in Dunsmore should suffer such losses without any form of compensation.

**Remedial Measures: -**

- a. Your Petitioner requests that it is made mandatory in The Code of Construction Practice that no bright lights are illuminated outside of the agreed hours of working and that the agreed hours of working should fully take into account the need for local residents to have extended noise free time to allow adequate sleep. It is requested that the Code be legally enforced via an independent agency with powers to fine breaches and as an ultimate sanction have powers to close working until problems are resolved.
- b. There should be a much more inclusive and wide-ranging Compensation Scheme in force along the whole route. A Scheme that acknowledges that the detrimental effects of this project both during construction and during operation will be severe and cause significant financial losses to householders. It should recognise that compensation is warranted for reasons other than the prescribed distance alone.
- c. There will be just one opportunity to save this beautiful and supposedly protected area. If lost, it will be lost forever. **There should be a fully-bored tunnel throughout the Chiltern ANOB to protect this unique landscape.** If a fully bored tunnel is not agreed by HS2Ltd then an Arup style enclosure should be constructed with a mitigating planting screen to reduce the noise and visual impact.
- d. The remedy for the adverse effect of power supply disruption is to identify those households who require power for medical reasons and supply adequate generators and, whenever possible, provide advance warning of disruption. Prolonged periods without power should be specifically discussed with said households so that steps can be taken to

avoid serious consequences to those reliant on power supplies for health reasons.

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

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 she 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 her 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 PARLIAMENT  
HOUSE OF COMMONS  
SESSION (2013-2014)

HIGH SPEED RAIL  
(LONDON-WEST MIDLANDS)  
BILL

PETITION OF Vanessa Havard  
AGAINST, By Counsel, &c.

Vanessa Havard

Solicitor General

London

Her Majesty's

M