

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

## 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 Colne Valley Park Community Interest Company

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 Colne Valley Park Community Interest Company (CIC) acts as the custodian of the Colne Valley Regional Park. The concept of the Park was originally created by a Standing Conference of Local Authorities back in 1965, and for nearly fifty years its 43 square miles have provided opportunities for informal and formal recreation for millions of visitors each year. The Colne Valley contains distinct communities and a significant, if increasingly threatened, rural economy. The Regional Park also represents an integral part of London’s Metropolitan Green Belt to the west of the capital and, whilst it does not have the same level of legal status as the Lee Valley Regional Park, for example, its strategic role has been recognised by the Planning Inspectorate in the determination of major applications impacting on the Colne Valley. Yet its existence and the significance of the Colne Valley as a whole has so far been paid scant regard by HS2 Ltd in its work to date.
- 8 The Colne Valley Park CIC was incorporated in 2012 to succeed the Colne Valley Partnership that promoted and managed the Regional Park from its inception. The CIC has an active membership of over fifty organisations including local authorities and other public, private, and voluntary organisations, together representing over tens of thousands of individuals. Its remit and business is to:
- **Maintain and enhance the landscape**, historic environment and waterscape of the Park in terms of their scenic and conservation value and their overall amenity.
  - **Safeguard the countryside** of the Park from inappropriate development. Where development is permissible it will encourage the highest possible standards of design.
  - **Conserve and enhance biodiversity** within the Park through the protection and management of its species, habitats and geological features.
  - **Provide opportunities for countryside recreation** and ensure that facilities are accessible to all.
  - **Achieve a vibrant and sustainable rural economy**, including farming and forestry, underpinning the value of the countryside.
  - **Encourage community participation** including volunteering and environmental education. To promote the health and social well-being benefits that access to high quality green space brings.
- 9 The CIC does not own land within the Park, but does manage sites and visitor facilities, promotes other publically and privately-owned leisure and recreational facilities, and provides an events programme.
- 10 Your petitioner is recognised by London Borough of Hillingdon, South Bucks, Chiltern and Three Rivers District Councils as a consultee on planning applications and other matters affecting the Colne Valley

- 11 The proposed route and design of High Speed 2 will undoubtedly have a significant impact on the integrity and perception of the Park as a place to visit and invest in, which in turn threatens the viability of the CIC. Although the reported linear length of HS2 will be some 4 miles out of 143 for the whole line, the locality between Ickenham, Harefield, Denham and Maple Cross comprises some of the most attractive landscapes in the whole Park, will be completely unusable for informal countryside recreation during the anticipated 10 years of construction and considerably less attractive after construction. Indeed, falling as it currently does between two proposed long tunnels, beneath west London and the Chilterns respectively, the physical (e.g. noise, visual intrusion, ecological, recreational, amenity, loss of productive farmland, further reduction in tranquillity), economic (e.g. direct loss of trade and as the consequence of reputational damage – i.e. a perception that with construction activity extending for at least 10 years and further permanent fragmentation of the landscape the Park as a whole will not be worth visiting or investing in), and social (e.g. influx of transient construction worker population) impacts in this locality will be amongst the most intense on the line as a whole.

The specific consequences of the construction can be summarised as:

- Five main construction compounds
- Seven satellite construction compounds
- Two worker accommodation sites
- Sixteen materials stockpiles (including the massive stockpile adjacent to the Chilterns tunnel)
- Four public rights of way stopped up, four public rights of way diverted,

and the permanent impacts of:

- The Chiltern's tunnel portal and buildings
- West Ruislip portal and headhouse for the Northolt tunnel
- The viaduct, huge embankments and cuttings
- Five electricity substations and diverted power lines,
- Six diverted public rights of way with additional length and less attractive for users
- Three 'sustainable' spoil placement sites
- The loss of land quality and functionality connected to enduring construction impacts and the associated balancing ponds and new watercourses.

Your petitioner is seeking recognition and remedy for the impacts of the above.

- 12 Your petitioner is seeking a mitigation and compensation package for the Colne Valley commensurate with the severity of impacts described, and additional

investment to help the Regional Park become more resilient to change *at the mobilisation stage of the project.*

- 13 Given the scale of the impacts that will be experienced if construction proceeds as currently proposed, your petitioner believes that the promoter should complete a proper assessment of the feasibility of tunnelling under the Colne Valley. Should this ultimately prove to be technically unfeasible, then the following represent the specific issues and remedies that the Colne Valley CIC would expect to be addressed by HS2 Ltd.

***Addressing impact on Colne Valley Park and building capacity of the Park to adapt to change***

- 14 Your petitioner is seriously concerned about the impact on local landscapes and communities that will inevitably discourage or displace users from facilities within the Colne Valley Park. It believes that some of the most attractive landscapes and views in the Park will be lost and many recreational facilities including angling clubs, Denham water ski club and designated nature reserves will be heavily impacted or lost.
- 15 Although other petitioners are advocating a route wide 'Community Fund' aimed at localities on or close to the line – similar to that previously applied to HS1, which we support, to address the severity of impacts as described in Para 11 your petitioner additionally requests the establishment of a *specific* endowment / grant scheme for the Colne Valley Park that community and voluntary organisations can submit applications for to enhance the visitor experience in the northern part of the Park.
- 16 HS2 threatens the viability of the Colne Valley Park CIC because of the ten year construction period that will result in significant landscape changes in one of the most attractive parts of the Regional Park. Your petitioner contends that this will result in reputational damage and loss of direct funding from members and corporate supporters.
- 17 Whilst it would be impossible to properly mitigate *all* the physical impacts, your petitioner seeks support from the promoter to help build the capacity of CIC to adapt to change by investing in a Colne Valley CIC-managed 'Green Team' who would implement mitigation works and provide local training/job opportunities, thereby retaining income in the locality.

***Retaining land quality/function adjacent to the route and more creative use of construction spoil***

- 18 Your petitioner believes that sites within the Park will lose their function as a consequence of HS2. Such sites include productive farmland, the Hillingdon Outdoor Activity Centre lake and the Savay Lake fishery. These effects are compounded by the unique impacts of linear development in this rural / urban fringe. Dividing land and / or loss of use may well lead to abandonment, dereliction, undesirable uses and potential unwelcome development with further loss / subdivision of the landscape.
- 19 Your petitioner expects the promoter to work with CIC to develop a strategy for positive use of fragmented land in line with the Colne Valley Park's remit. This strategy may require capital investment in land improvement and endowments for future management and maintenance such as the HOAC lake being converted into nature reserve (after HOAC has been relocated).

20 The promoter currently proposes that surplus spoil from tunnelling operations over and above that re-usable in line construction elsewhere is deposited within the Colne Valley in 'sustainable placement sites'. Your petitioner is concerned that these would be totally incongruous and a further source of damage to the landscape.

21 Your petitioner proposes an alternative approach – at no additional cost to HS2 - involving its more creative re-use to restore damaged sites elsewhere in the Colne Valley (and possibly beyond), with the Colne Valley Park CIC receiving the value of the proceeds generated using the material in this way, for investment back into improving the Park environment as a whole.

#### ***Direct compensation for loss of visitor sites in the Colne Valley Park***

22 Your petitioner is gravely concerned about the disruption to Hillingdon Outdoor Activity Centre (HOAC) caused by works authorised by the Bill, which will make this important community asset no longer viable in its current location as recognised within the Environmental Statement. This effect means your petitioner will lose a key community asset from the Colne Valley Park.

23 Your petitioner expects the promoter to relocate HOAC to another lake in the Colne Valley Park. This must be an equivalent site, easily accessible for current user communities. Any new site may require infrastructure improvements to secure its continued viability, which will be undertaken at the promoter's expense in consultation with the owners of the current site prior to the commencement of line construction.

#### ***Impact on biodiversity and loss of ancient woodland***

24 Your petitioner is concerned about the impact of the construction and operation of the railway on the ecological connectivity and ecosystem functioning and resilience of the Colne Valley including Broadwater Lake nature reserve, Mid Colne Valley SSSI, Denham Country Park LNR and Frays Valley LNR. Your petitioner considers that the ecological mitigation and compensation that has been proposed for the Colne Valley Community Forum Area within the Environmental Statement accompanying the Bill is insufficient. Your petitioner contends that there will be a net loss of biodiversity in the area of the Colne Valley affected by the proposals as a result

25 Your petitioner requests that provision be made for a robust, deliverable, effective and adequately funded programme of mitigation, compensation and enhancement to maintain and enhance ecological systems of the Colne Valley.

26 Your petitioner objects to any loss of ancient woodland associated with this proposal. Ancient woodland represents, as stated by HS2 Ltd, an irreplaceable resource, and there is insufficient evidence to suggest that translocation of ancient woodland is successful. The loss of ancient woodland, an irreplaceable resource in the Park, will affect your petitioner. Your petitioner is in negotiations to manage both Northmoor Hill Wood and Wyatts Covert (adjacent to the proposed railway). The presence of HS2 severely compromises the ability of these woods to function for the benefit of local residents.

27 As mitigation for the loss of ancient woodland is impossible to achieve and to ensure that adjacent ancient woodlands operate effectively as a community resource your petitioner expects the promoter to provide an endowment to cover management of existing ancient woodland adjacent to the route (including Northmoor Hill Wood and

Wyatts Covert) throughout the lifetime of the construction and operation of the railway.

***Reduce and address the impact on recreational routes***

- 28 Your petitioner considers that many paths including circular walks within the Colne Valley Park will be rendered unusable during the construction period and will be significantly less attractive once the railway is operational. There will also be cumulative impact on all routes across the valley from Maple Cross to Harefield, Denham to Ickenham.
- 29 Your petitioner does not believe the proposed diversions are practical and would prefer to see permanent diversions of footpaths to reduce their length and to maintain an agreed distance from the route. Your petitioner also expects alternative routes and viewpoints to be provided, accompanied by investment in upgrades of circular walks, signage and views elsewhere in the north of the Park.

***Addressing the impact on agriculture and viability of the rural economy***

- 30 Your petitioner is concerned about the temporary and permanent loss of farmland from the Colne Valley Park and on the edge of London, which will lead to a further loss of farming infrastructure and increase isolation for those farms that remain.
- 31 This issue can be resolved by suitable investment into the Colne Valley Rural Development Forum to offer support to the remaining farms in the Colne Valley e.g. giving professional advice to farmers about diversification, farming in rural urban fringe, and / or small grants programme to support farmers.
- 32 In light of the above, your petitioners reserve the right to raise the above matters and any other matters of concern relating to the substance of the HS2 Hybrid Bill and this petition that may arise from continuing discussions, the preparation and publication of reports, any revisions that may be made to current proposals or any other matters relevant to expressed concerns that may occur in due course and prior to representation before the Select Committee.
- 33 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.

YOUR PETITIONERS 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 Petitioners will ever pray, &c.

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Colne Valley Park Visitor Centre

