

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – 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 Newton Purcell Parish Meeting by Patrick Clarke a duly authorised member of the same and Patrick Clarke in his own right.

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 Own Paterson, Secretary Edward Davey, and Mr Robert Goodwill
- 3 Your Petitioners are concerned with the detailed implementation of the Bill Clause 2, Sections 1 and 3, with reference to mitigation: also with Clause 3, Schedule 4, and with Schedule 31 part 1 referring to Highways and Traffic: also with Schedule 16 part 1 which deals with Deemed Planning Permission.
- 4 Your Petitioners are Newton Purcell Parish Meeting, which is a Parish Meeting under the terms of Section 13 of the Local Government Act 1972. Newton Purcell is too small to support a Parish Council, and this is the only body able to uniquely represent the village at Parish level. The Bill will result in a high speed railway line cutting diagonally through the Parish and village. The village is bisected by the line with properties lying to the North East as well as the South West of the proposed route. Also petitioning is Mr Patrick Clarke in his own right, the joint owner and occupier of Barley Fields Farmhouse, Newton Purcell, Buckingham MK18 4AU, a residential property that includes a dwelling approximately 150m from the proposed route.
- 5 Your petitioners have addressed most of the matters set out in this petition in responses to the draft Environmental Statement consultation, the

Environmental Statement consultation, and a bilateral meeting. Unfortunately there has been no meaningful engagement on the part HS2 Ltd who have failed to respond to or take into account any of the points made. The 'Community Forum' process was carried out prior to the production of proposed design and mitigation and, as a result of that and HS2 Ltd's regard of it, had no significant element of discussion of any aspect of the design of the line and its impact or the impact of construction.

6 Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.

7 Your Petitioners reasons for objection include the following:

(i) Imprecision in the plans as currently presented.

Your Petitioners are concerned that at present the plans set out in the Environmental Statement do not properly or adequately fix the alignment of the line such that the track bed may be significantly higher than proposed. It is imperative that the elevation of the track-bed be as low as feasible in all places so as to mitigate the effect of the line on the surrounding area. Further the plans do not adequately or properly model the noise impact of the line, The environmental statement does not take account of potential variations in the noise and visual mitigation proposals.

Your Petitioners request that the height of the line be fixed such that it may only be lowered but not raised to a height greater than that indicated in the Environmental Statement, further or alternatively that such other proper and proportionate limitation is imposed.

Your Petitioners further request that all mitigation measures provided for are provided for by reference to the actual as built height of the line and associated apparatus, such that all noise and visual screening is stipulated by reference to the screening of the track, trains and apparatus rather than by reference to the lie of the land. Alternatively, such other measures are stipulated as required to properly safeguard the utility of the mitigation measures.

(ii) Noise, Light and damage from Construction

Your Petitioners are concerned that no, or no adequate mitigation or compensation for the impact of the construction activities has been proposed by HS2 Ltd. In particular the use of the A4421 for construction traffic will be inappropriate and the use of country lanes around Newton Purcell even less so. Further there are no proposals to mitigate the impact of the 'A4421 Buckingham Road Satellite compound' that will be in use for a period not precisely determined.

Your Petitioners request that most of the heavy construction traffic and all of the earthmoving traffic be confined to the line of the proposed railway in the vicinity of Newton Purcell or that such other appropriate limitations are put on the use of local roads by construction traffic as are deemed necessary.

Your petitioners also request that the aforementioned satellite compound be screened from all surrounding residential properties

appropriately and that all lighting of the same also be screened or switched off late at night. Alternatively that such other necessary and appropriate measures are stipulated.

Your petitioners also request that a proper and reasonable compensation scheme is put in place to compensate landowners and residents from the effect of construction operations and/or that there be an undertaking that all damage, including wear and tear to roads, footpaths and verges, caused by the construction operations be repaired by the conclusion of the construction operations.

(iii) **Lack of mitigation of the re-routing of the A4421**

Your Petitioners are concerned that the re-routing of the A4421 at the point at which it crosses the route of the proposed line does not take sufficient account of the aggravating effect of having a short raised section of the A4421 leading into the village that straightens the road (thereby increasing the speed of traffic) and removes the actual and perceived impediment of the low bridge.

Your Petitioners request that the rerouting of the A4421 be extended to bypass the entire village thereby mitigating the profound effect that the new line will have on the village as a whole. Further or alternatively the re-routed A4421 should be routed in a cutting passing below the level of the proposed line. Further or in the further alternative proper and adequate screening of the re-routed line should be provided along with provision for noise reducing surfacing.

(iv) **Noise of Operation and visual blight of the line in operation on the North-East Side**

Your Petitioners are concerned that no visual screening or noise mitigation whatsoever has been proposed on the North-East side of the line where the line passes a number of properties both within the Village and outside the same.

Your Petitioners request that proper screening (as averred to below) by way of acoustic barriers or earth berms and properly specified trees and vegetation is provided to the North East side of the line as it passes through the village. Further or alternatively that the 'gap' HS2 Ltd have left in the mitigation at this point is filled by properly landscaped and planted earthworks supporting a pedestrian access over the line as described below.

(v) **Noise of Operation and visual blight of the line in operation on the South West side**

Your Petitioners are concerned that the mitigation measures proposed for the South-West side of the line are insufficiently defined so as to ensure that the noise and visual impact of the line are properly and reasonably mitigated as they are not properly defined in terms of: their height in relation to the track, trains and all apparatus; the type, size and maturity of all, screening trees and vegetation; and the actual noise attenuation required of the mitigation and the maximum peak noise to be inflicted on the properties in the village.

Your petitioners request that the mitigation measures are properly defined so as to completely screen the track, trains and apparatus as well as all other artificial barriers and installations and comply with a

world class noise attenuation performance specification or such other measures to properly mitigation the existence and operation of the line. Your petitioners further or alternatively request that the pedestrian access is constructed as set out below incidentally provide substantial earthworks screening at the point at which the proposed route of the line crosses the A4421.

(vi) Pedestrian Access

Your Petitioners are concerned that the proposed line will bisect the village and effectively cut off a number of properties, businesses, footpaths and land at the North-East side of the Line from the properties, businesses, footpaths and land at the South-West side of the line and vice-versa.

Your petitioners propose that a footpath overbridge be constructed at the point that the A4421 currently crosses the proposed route and that such footpath is accessed from substantial landscaped earthworks on both sides of the line in an arrangement similar to that proposed for footpath BHA/2 to the South-East. Further or alternatively a green tunnel or other similar green covering accessible by pedestrians should be constructed in order to provide access and noise and visual mitigation at this point, where joined to the new proposed A4421 overbridge or otherwise if the aforementioned A4421 proposal is accepted.

- 8 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, clauses relating to these issues so far affecting your Petitioners, should not be allowed to pass into law.
- 9 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 [delete as necessary] 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.

Signed



Patrick Clarke, on behalf of himself and Newton Purcell Parish Meeting

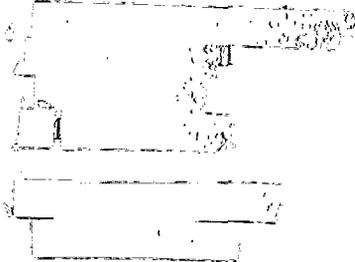
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BACKSHEET:

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