

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

Against the Bill - 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

Matthew Semple  
Mary Semple  
Christopher White  
Melanie White  
Philippa White  
Collette White  
Joyce Arnold  
Keith Arnold  
Rosemary Partner  
Rhoda Maw  
Sylviane Clark  
Peter Clark  
Roy Partner  
Sheila Claydon  
Joanne Claydon  
Ivy Parish  
Joy Armes  
John Bunker  
Carole Delaney  
Michael Delaney  
Colin Ord  
Priya Ord  
Harini Swaminathan  
Mukesh Kumbhani  
Stephen Rowland  
Ann Rowland  
Anthony Marsh  
Doris Spriggs

0713

Karen Mead  
Roger Mead  
Karen Lane  
Christopher Lane  
Robert Healey  
Pauline Keep  
Michael Eddlestone

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, 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 Petitioners are the owners of the properties

- 1, Three Oaks Close, Ickenham, UB10 8DU
- 2, Three Oaks Close, Ickenham, UB10 8DU
- 3, Three Oaks Close, Ickenham, UB10 8DU
- 4, Three Oaks Close, Ickenham, UB10 8DU
- 5, Three Oaks Close, Ickenham, UB10 8DU
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- 19, Three Oaks Close, Ickenham, UB10 8DU
- 21, Three Oaks Close, Ickenham, UB10 8DU
- 23, Three Oaks Close, Ickenham, UB10 8DU

8 Your Petitioners allege that they and their property, rights and interests would be injuriously affected by the provisions of the Bill if passed into law in their present form and they accordingly object to the Bill for the reasons, amongst others, hereinafter appearing.

### Introductory

9 In addition to local construction/operational activities around Ickenham, the decision to 'dump' the waste from these in three areas close to your petitioners properties represents a 'double whammy', and, given that these areas are due to receive a large proportion of the waste/spoil from activities elsewhere between London & Birmingham - a 'triple whammy'.

- 10 Despite this HS2 Ltd refused to discuss mitigating the adverse impacts on Ickenham. Our local MP intervened in September 2013, but HS2 Ltd still refused to meet with residents to discuss extending the tunnel beyond West Ruislip.
- 11 Consultation has become a 'dirty' word. The Environmental Statement was prepared in a rush and failed to assess adequately the impacts on Ickenham roads, schools, emergency services, local services, transport, employment, air quality, drainage and flooding; and landscape, ecology, and the local environment. The most adverse effects were never discussed at Community Forums. There were well over 2,500 responses from Ickenham to the consultation on the Environmental Statement (plus a similar number from nearby Harefield) demonstrating the widespread concern of residents.

### **Grievances and Remedies**

- 12 As residents of Ickenham your petitioners have identified several specific grievances which are set out below. Our area receives none of the so-called direct benefits of the proposed route, but suffers substantial adverse impacts. The only sensible remedy if these adverse impacts are to be properly mitigated is the extension of the tunnel from the portal at West Ruislip to the M25, and more environmentally-friendly disposal of waste. This remedy, and other far less satisfactory, but feasible alternatives should the extension not be proposed, are discussed later in the Petition. In all of these it is essential that compensation measures be properly resourced, and fairly provided (not just minimum levels).

### **Specific Grievances**

#### **Construction & Waste Disposal Traffic**

- 13 Your petitioners are gravely concerned about the extent of congestion caused by construction and waste disposal traffic throughout Ickenham, and the inadequacy of measures proposed to mitigate their impact. Three construction sites in Ickenham (and others in nearby Harefield) for up to 10 years, plus transportation of spoil, etc to three sites near to your petitioners, will superimpose gridlock (not just at peak hours) on the already congested roads around us. This congestion will restrict access for emergency and other services (see Health & Welfare para 17 below); cause increased danger to cyclists, pedestrians and schoolchildren on their way to school; cause increased difficulties for your petitioners re journeys to work, hospitals, schools, shops; and result in greater vulnerability for the elderly (several petitioners mention a fear of feeling trapped). These impacts, and the increases in 'wasted' time (both journey and contingency allowance in order to fulfil appointments, etc) do not appear to have been costed by HS2. The transport modelling by HS2 is inadequate, and the baseline in the Environmental Statement was woefully out of date because of the refusal to use the more recent Robert West data offered by the London Borough of Hillingdon.

## **Spoil Dumps ('Sustainable Placement Areas')**

- 14 Your petitioners are also gravely concerned about the vast quantity of spoil that is to be dispersed in Ickenham (much of it from activities between London & Birmingham). Your petitioners consider that the three local areas that have been selected for the 'Sustainable Placement' of material [the two closest to your petitioners in Green Belt areas of Ickenham between Harvil Road and Breakspear Road South] have not been properly assessed.

## **Landscape**

- 15 The dumping of spoil is only one aspect of the violation of the landscape. Your petitioners understand from the Environmental Statement that there will also be significant adverse impacts on their landscape during (and after) the ten year construction phase, as well as from the dumping of excavated materials. Your petitioners believe that as the Bill stands it makes no provision to protect the landscape character of their area.

## **Air Pollution**

- 16 Your petitioners are also gravely concerned that the increased traffic congestion caused by the increased HGV traffic will add to the air pollution already exceeding minimum EU standards for health. This, particularly on Swakeleys Road, a roadway adjacent to Three Oaks Close and used by children walking and cycling to Vyners School. HS2's underestimation of 'traffic' volumes also leads to underestimation of air pollution and effects.

## **Health and Welfare**

- 17 Your petitioners are gravely concerned that the emergency services will be unable to provide timely support to their families and property due to road congestion during the construction period and because of waste disposal. The adjacent roads Breakspear Road South and Swakeleys Road are the main access roads to Mount Vernon Hospital, Northwood, and Hillingdon Hospitals respectively, for your petitioners. These roads, and nearby Harvil Road, are also the first access roads to Harefield Hospital where the speed of treatment at the dedicated Heart Attack Centre is critical to survival.

## Drainage and flooding

- 18 Your petitioners are concerned that there is an increased risk of surface water flooding from placement of excavated material and construction of works in the nearby Harvil Road and Breakspear Road South areas. This will be exacerbated by the diversion of Ickenham Stream into the River Pinn, and the loss of woodland, and vegetation in the construction areas generally. The Environmental Statement admitted to the deterioration of groundwater quality, public water supply, and increased risk of local flooding; and this was written before the floods earlier in 2014. HS2 seem to have used 1:100 year flooding as their 'tolerance' limits. In light of recent events, and likely future patterns, made worse by the need to build more houses including more on flood plains, this seems inadequate. This indicates just one of many more worthwhile infrastructure, or other spending, projects for scarce funds than HS2.

## Noise

- 19 The Environmental Statement indicated there will be significant adverse noise impacts as a direct result of the overground high speed railway in Ickenham, and this when average noise (not the more relevant 'peak' noise) is the basis. Whilst not as seriously affected by construction and operational noise as some other streets in Ickenham, your petitioners understand that this 'peak' noise is still likely to be above recognised EU acceptable levels at their properties. In addition there is likely to be specific additional noise as trains enter, and, in particular, exit the current proposed tunnel portal near West Ruislip. Your petitioners understand from the Environmental Statement that there will be adverse noise impact as a result of construction and waste disposal activities and movement impacting some properties in Swakeleys Road adjacent to Three Oaks Close.

## Rights of Way/Footpaths

- 20 Your petitioners use of local footpaths will be severely affected by closures and (often lengthy) diversions of public rights of way. Specifically, diversion on to nearby Breakspear Road South - a busy road with no footways or verges. This road is patently unfit for the HGV traffic that is forecast, and pedestrians' lives will be put at risk by HGV vehicles attempting to pass in opposite directions.

## Local Transport Services

- 21 Your petitioners are concerned that the proposals for HS2 will cause significant disruption to existing bus, rail and underground services. Even where buses continue to run timetables will not be adhered to. The extensive construction works and railhead required at West Ruislip are a particular cause for concern as the TfL Central Line and Chiltern railway are used for many of your petitioners' journeys.

## Other

- 22 Your petitioners are also concerned that the following local leisure, educational, cultural, and recreational facilities, are likely to close permanently, or become inaccessible -

Hillingdon Outdoor Activity Centre which provides leisure and educational facilities for our and many other children and young people.

Uxbridge and Ruislip Golf courses, and Ruislip Rifle Club (because of access/loss of land).

Brackenbury Manor (and Moat) - the important Heritage sites off Breakspear Road South

There are also adverse effects on the environment/ecology of the area from the loss of woodland, vegetation, and habitat for wildlife.

## West Ruislip to M25 Tunnel

- 23 Your petitioners submit that the proposal to carry the railway overground through the area between West Ruislip and the M25 will give rise to the specific impacts on them detailed above. In your petitioners' respectful submission the cumulative effects of all these adverse impacts requires that a bored tunnel should be constructed instead of an overland route across Ickenham and the Colne Valley.
- 24 Your petitioners are also of the view that there is no business case for the 'hypothetical' Heathrow Spurs, and that there is no positive cost benefit case for the disruption during construction or operation as part of Phase Two of the HS2 project. Your petitioners ask that the Bill be amended so that passive provision for the Spurs is removed. Your petitioners request that HS2 take the opportunity to use the costs savings from the removal of the 'hypothetical' Heathrow Spurs to build the West Ruislip to M25 Tunnel as requested.
- 25 Given all the concerns and issues arising from the overland route in Ickenham and the Colne Valley your petitioners believe that the additional costs of an extension of the London tunnelling would be justified. Should your honourable House not find in favour of a tunnel, the following paragraphs explain the remedies that your petitioners seek as a minimum in respect of the matters that are covered.

## Proposed Railhead at Ickenham

- 26 In the absence of a tunnel your petitioners would request your honourable House to require that the proposed railhead at Ickenham be operational in advance of any other tunnelling works, in order to minimise the transportation of spoil by roads and avoid the dumping of spoil in green belt areas of Ickenham between Harvil Road and Breakspear Road South.
- 27 Your petitioners would request that the manner of the construction of the railhead is totally reviewed and every opportunity taken to remove the excavated material from its construction by use of the existing Chiltern rail line to avoid the dumping of the spoil in the Borough.

## Environmentally-Friendly or Neutral Dumping of Spoil

- 28 Additionally, your petitioners request your honourable House to require that HS2 re-evaluate the areas designated for spoil dumping (Paragraph 14) and prepare alternative proposals for consultation. These could include taking a 'leaf' out of Crossrail's 'book' and removing spoil and creating e.g. wetlands (or the environmentally-friendly measures to deal with spoil from the Channel Tunnel twenty years ago). Less worthy perhaps, but practical - infilling redundant gravel pits (of which there are many in the Colne Valley).

## Other Measures in the Absence of a West Ruislip to M25 Tunnel

- 29 In the absence of the above tunnel, or if this tunnel has construction and waste disposal impacts on Ickenham, your petitioners wish to ensure that the nominated undertaker(s) will at all times during the construction and waste disposal works maintain adequate access through Ickenham for petitioners. Your petitioners request that the nominated undertaker be required to mitigate the remaining nuisances, by amending the Code of Construction Practice to strictly enforce the following measures :-
1. Restricting HGV movements to inside peak hours throughout Ickenham, and prohibiting HGV Movements near school routes for 30 minutes before and after the start and end of the school day (during term time).
  2. Operating a low emissions shuttle bus system for construction workers from key public transport interchanges to avoid providing parking for contractors at the construction compounds.
- 30 Constructing such facilities as may be necessary to remove spoil from Ickenham by rail, so avoiding the creation of the spoil dumps between Harvil Road and Breakspear Road South and, inter alia, increasing the risk of surface water flooding (see Drainage and flooding Paragraph 18).



## Summary

- 31 The only practicable mitigation for all these impacts is the full tunnel as requested above. The creation of Spoil Dumps would also be avoided if disposal of spoil was handled in a more environmentally-friendly way, and removed from the area by rail.

## In Conclusion

- 32 Your petitioners have worked and saved hard for many years to buy and own their properties, and humbly submit that these efforts deserve your Committee's consideration before any decision not favouring an extension to the current tunnel, and imposing years of 'property blight'.

- 33 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above it should not be allowed to pass into law.

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.

IN PARLIAMENT

HOUSE OF COMMONS SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF MATTHEW SEMPLE & OTHERS

Against the Bill - On Merits - By Counsel

Contact : Matthew Semple

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