

IN PARLIAMENT

0722

HOUSE OF COMMONS

SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION

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

Brian Cable MBE

Penny Cable

Alan Richards

Jean Richards

Barbara Smith

Ali Al-Rubaye

Saroj Das

Sikha Das

Karen Bonnamy

Mark Bonnamy

Peter Ash

Michelle McCarroll

Pauline Wharton

Nahla Affas

Zina Affas Besse

Sabah Affas

Parduman S Matharu

Amarjit S Matharu

Surinder K Matharu

Ranjit S Matharu

Veena K Matharu

Shams Shamoan

Ban Shamoan

Zain Shamoan

Matthew Shamoan

Manhal Shamoan

Surinder Babber
Kamlesh Babber
Sayeet Babber
Lita Babber
Sandeed Babber
Richard Jones
Airan Grover-Jones
Mike Penny
Pauline Snook
Simon Snook
Jack Dawson
Simon Clarke
Caroline Ward
Simon Dawson
Paula Dawson
Nisreen Shamoon
Hussam Shamoon
John Kelleher
Aileen Kelleher
Thelma Marks

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

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14 Harvil Road Ickenham UB10 8AJ
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13 Harvil Road Ickenham UB10 8AJ
1 Harvil Road Ickenham UB10 8AJ
3 Harvil Road Ickenham UB10 8AJ
78A The Drive Ickenham UB10 8LQ
16 Harvil Road Ickenham UB10 8AJ
1 Harvil Farm Ickenham UB10 8AJ
2 Harvil Farm Ickenham UB10 8AJ
68 The Drive Ickenham UB10 8LQ
17 Harvil Road Ickenham UB10 8AJ
18 Harvil Road Ickenham UB10 8AJ
19 Harvil Road Ickenham UB10 8AJ

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 Your Petitioners oppose the Bill in principle. Whilst your Petitioners acknowledge that the principle of the Bill is established at second reading, your Petitioners' views on the subject are so strong, they must be recorded in this petition.
- 10 Your Petitioners consider that the Environmental Statement did not adequately assess the impacts on Ickenham roads, schools, employment, ecology, air quality, local services, emergency services, drainage and flooding. It was prepared with great haste and the most adverse effects were never discussed at Community Forums. Your Petitioners are particularly concerned that the adverse impact on the 26 households along and adjacent to Harvil Road has not been considered at all.
11. HS2 Ltd refused to engage in discussion to mitigate the adverse impacts on Ickenham. Even with the intervention of our local MP in September 2013, HS2 Ltd refused to meet with residents to discuss extending the tunnel beyond West Ruislip.
- 12 There are many matters which cause great concern to your Petitioners, arising from the proposals in the Bill. Your Petitioners are hopeful that many of their concerns can be met by agreement with the promoter of the Bill.

General Concerns

- 13 As residents of Ickenham your Petitioners have identified several specific grievances which are set out below. This list is by no means exhaustive, and due to the inadequacy and inaccuracies of the Environmental Statement prepared by HS2 Ltd, it is inevitable that that the construction of HS2 will disrupt the lives of residents of Ickenham in ways which have not yet been considered.

Colne Valley Tunnel

- 14 Your Petitioners respectfully submit that the proposal to carry the railway over ground through the area between Ruislip and the M25 will give rise to many community, health, business and environmental impacts. In your Petitioners' respectful submission the cumulative effect of all these adverse impacts requires that a bored tunnel should be constructed instead of an overland route across Ickenham and the Colne Valley.
- 15 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. The following paragraphs set out in more detail your Petitioners' justification for a tunnel and they also explain the remedies that your Petitioners seek as a minimum in respect of the matters that are covered, should your honourable House not find in favour of a tunnel.

Noise

- 16 Your Petitioners understand from the Environmental Statement that there will be significant adverse noise impacts as a direct result of the over ground high speed railway in Ickenham and during the construction of the railway. Your Petitioners will suffer adverse effects from construction sites in Harvil Road, Breakspear Road South and Ickenham High Road for a period of ten years. Your Petitioners also understand from the Environmental Statement that there will be a significant adverse noise and vehicle vibration impact during the construction of the works and in particular along Harvil Road in which your Petitioners reside. The work is scheduled to proceed night and day, seven days a week and will have a significant adverse impact on your Petitioners' lives, health and general well being.
- 17 Your Petitioners wish to ensure that the nominated undertaker should provide a detailed site specific noise mitigation plan along with the provision of adequate compensation measures.

Construction Traffic

- 18 Your Petitioners are gravely concerned about the inadequacy of measures proposed to mitigate the effects of construction traffic throughout Ickenham. The siting of three construction sites in Ickenham for up to 10 years with other constructions sites in nearby Harefield will cause significant disruption and congestion to Ickenham suburban roads by HGV traffic. These local roads are already heavily congested by local traffic and through traffic from commuters across north west London. Breakspear Road South, Harvil Road, Swakeleys Road and Ickenham High Road are already heavily congested during morning and evening peak times. A number of side roads such as Copthall Road West, St Georges Drive, Greenacres Avenue, Thornhill Road, Ivy House Road, Warren Road are already affected by 'rat running'. Your Petitioners are concerned that they will be adversely affected in travelling to their jobs and taking children to schools.
- 19 Your Petitioners also request that the nominated undertaker be required to mitigate the remaining nuisances, by amending the Code of Construction Practice to strictly enforce the measures such as, but not restricted to, the following:
- (a) Devise and implement a traffic management plan sensitive to considerations for the local community including flow management and unidirectional routing around the area.
 - (b) Construction of the viaduct across the Colne Valley first and use the viaduct as road access to the site via Moor Hall Road which provides a direct short link to the North Orbital Road. This would protect both Ickenham and South Harefield.
 - (c) Restricting HGV movements 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).
 - (d) Operating a low emissions shuttle bus system for construction workers from key public transport interchanges to restrict the need to provide car parking for contractors at the construction compounds.

- (e) 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.

Health and Welfare

- 20 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 would remind the Committee that the roads in Ickenham provide access to Harefield Hospital dedicated Heart Attack Centre which is used for emergencies from outer north-west London; according to the NHS Trust, speed of treatment has shown to be crucial to survival in these cases.

Environment

- 21 Your Petitioners make extensive use of the recreational facilities afforded by the London Borough of Hillingdon and the Colne Valley and strongly object to the following impacts of the project :
 - (a) Diversions of public rights of way are so lengthy and in some cases diverted onto busy roads with no footways, representing a danger to life and limb.
 - (b) The loss of the Hillingdon Outdoor activity Centre which provides leisure and educational facilities for your Petitioners and their families.
 - (c) The impacts on Uxbridge and Ruislip Golf courses which may require their temporary or permanent closure.
 - (d) Adverse effects on the ecology, in particular on the bat and owl populations.
 - (e) The use of the green belt areas of Ickenham between Harvil Road and Breakspear Road South as spoil dumps.

The only practicable mitigation for all these impacts is the full tunnel as requested above.

Should your honourable House not find in favour of such a tunnel, your Petitioners request that your nominated undertaker be required to construct such facilities as may be necessary to remove spoil from Ickenham by rail.

Air Pollution

- 22 Your Petitioners are concerned that unless the railway is constructed in a tunnel a significant amount of HGV traffic arising from 3 major construction sites will be directed through Ickenham and will converge on Swakeleys Road, a roadway already exceeding minimum EU standards for health and used by schoolchildren walking to Vyners School and the elderly.

Harvil Road, already congested at peak hours by southbound traffic queuing for up to 400 metres, will be congested during all hours with extended tailback of stationary vehicles including numerous HGVs. Your Petitioners in their dwellings leading up to the junction with Swakeleys Road will be exposed to excessive levels of vehicle fumes and pollution.

Proposed Railhead at Ickenham

- 23 Your Petitioners would request your honourable House to require that the proposed railhead at Ickenham be operational in advance of any tunnelling works, in order to minimise the transportation of spoil by roads and the dumping of spoil in green belt areas of Ickenham.

"Sustainable Placement" Areas

- 24 Your Petitioners are concerned about the vast quantity of spoil that is to be dispersed in Ickenham. Your Petitioners consider that HS2 Ltd's plans for disposal of spoil are based solely on expediency with scant regard for the potential impact on the local community. Your Petitioners also consider that the areas that have been selected for the "Sustainable Placement" of material have not been properly assessed. Your Petitioners request your honourable House to require that your nominated undertaker re evaluate the areas identified for disposal of spoil and prepare alternative proposals for consultation. For example, your Petitioners humbly submit that HS2 Ltd should consider and assess the suitability of placement of spoil in worked-out gravel pits and numerous artificial lakes extending along the Colne Valley. Your Petitioners are firmly of the view that if done with care and discretion, the deposit of material along the Colne Valley would have minimal impact on wild life and recreational facilities.

Landscape

- 25 Your Petitioners are concerned that there will be significant adverse impacts on the landscape both during construction phase and the dumping of excavated materials. Your Petitioners believe that as the Bill stands it makes no provision to protect the landscape and traditional character of the area. The deposit of spoil to the proposed height of 3 metres would deface the landscape for ever with a totally artificial character that cannot be disguised. The proposed use of areas of the Colne Valley for spoil deposit would mitigate this impact.

Compensation

- 26 Your petitioners own residential properties which are subject to adverse effects up to 10 years from construction sites in Harvil Road and Breakspear Road South, high volumes of HGV traffic and the dumping of spoil up to 3 metres high in fields opposite and adjacent to their properties. HS2 do not propose to pay compensation for this blight and your petitioners are unable to sell their properties when they require and at unblighted prices

- 27 Your petitioners consider that HS2 Ltd should provide fair and just compensation measures which include enabling your petitioners to sell their properties at un blighted prices.

Heathrow Spurs

- 28 Your Petitioners are of the view that there is no business case for the Heathrow spurs and 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 dismissal of the Heathrow spurs to build the Colne Valley tunnel as requested.
- 29 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 and interests 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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HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION OF BRIAN CABLE MBE & OTHERS

AGAINST, By Counsel, &c.

CONTACT DETAILS:

BRIAN CABLE MBE

