

IN PARLIAMENT

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 Adams

Angela Adams

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 ("Phase One of HS2") 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 and Schedules 2 and 3 to the Bill.
- 7 Your Petitioners are the owners of 48, Breakspear Road South, Ickenham UB10 8HE in the London Borough of Hillingdon.
- 8 Your Petitioners allege that they and their property, rights and interests would be injuriously and prejudicially 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 petitioner acknowledges that the principle of the Bill is established at second reading, your petitioner's views on the subject are so strong, they must be recorded in this petition.
- 10 Your petitioner considers 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 which now severely affect Breakspear Road South were never discussed at Community Forums.

- 11 There are many matters which cause great concern to your petitioner and its constituents, arising from the proposals in the Bill.

General Concerns

- 12 Your petitioner has identified several specific significant concerns 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, it is inevitable that that the construction of HS2 will disrupt the lives of your petitioner and its constituents in ways which have not yet been considered.

Colne Valley Tunnel

- 13 Your petitioners respectfully submit that the proposal to carry the railway overground through the area between Ruislip and the M25 will give rise to many community, health, business and environmental impacts. In your petitioner's 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.
- 14 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 details 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.

Specific Concerns

Construction Works

- 15 Your petitioners are concerned about the impact of the construction and operation of a high speed railway and its associated development including but not limited to the siting of two constructions sites in our road and opposite our property, heavy volumes of construction traffic on Breakspear Road South – a road already heavily congested by commuter traffic , the dumping of spoil on the green belt land in front of our property , a construction compound on ancient farmland with a concrete factory, de contamination plant, lorry parks and storage of fuel for a period up to 10 years.
- 16 Your petitioners request that the nominated undertaker is subject to binding mitigation measures to mitigate the impacts of these works. These binding mitigation measures should include but not be limited to restrictions on noise, dust and vibration, 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).

The nominated undertaker should also mitigate the impacts on visual amenity through measures such as noise insulation and barriers, sheeting of haulage vehicles, dust dampening, hand piling, and sympathetic design in keeping with the surrounding area.

Noise

17 Your petitioners understand from the Environmental Statement that there will be significant adverse noise impacts as a direct result of the overground high speed railway in Ickenham and during the construction of the works. Your petitioners will suffer adverse effects from construction traffic and sites in Harvil Road and Breakspear Road South for a period of ten years.

18 Your petitioners are concerned that the noise thresholds chosen by HS2 Ltd do not reflect current World Health Organisation standards or the latest research which shows adverse health impacts from prolonged exposure to noise above World Health Organisation limits.

Your petitioners request that HS2 Ltd be required to ensure that operation of the high speed railway does not exceed 40dB, the threshold identified by the World Health Organisation as appropriate for ensuring no long term health issues for persons living nearby.

Your petitioners request that the nominated undertaker should be compelled to use best available techniques in the construction and operation of the high speed railway and its associated development to ensure that no noise can be felt in the Property and there are no other adverse effects.

Your petitioners request that there should be binding mitigation measures including effective noise mitigation and monitoring system in place before commencement and during construction and operation of the high speed railway and associated development along with the provision of adequate compensation measures.

Construction Traffic

19 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 the area of Ickenham for a period up to 10 years with other constructions sites in nearby Harefield will cause significant disruption and congestion to Ickenham suburban roads by HGV traffic, Our road is already heavily congested by local traffic and through traffic from commuters across north west London. Breakspear Road South, Harvil Road, Swakeleys Road, Ickenham High Road are very 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, taking grandchildren to schools and the safety of their grandchildren walking to school .

20 Your petitioners request that the nominated undertaker be required to mitigate the adverse effects of the heavy volume of construction traffic, its congestion and its adverse effects of air pollution, noise, and vibration by re evaluating the construction plans and 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

21 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. 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 Trust speed of treatment has shown to be crucial to survival in these cases. Your petitioners wish to ensure that the nominated undertaker will at all times during the construction works maintain adequate access through Ickenham for emergency services.

Environment

22 Your petitioners make extensive use of the recreational facilities afforded by the London Borough of Hillingdon and the Colne Valley and are very concerned about the following impacts of the high speed railway:

- a) Diversions of public rights of way are so lengthy and in some cases diverted to onto busy roads, e.g. Breakspeare Road South, with no footways representing a danger to the public's lives.
- b) The loss of the Hillingdon Outdoor activity Centre which provides leisure and educational facilities for your petitioners' families
- c) The impacts on Uxbridge and Ruislip Golf courses which may require their temporary or permanent closure
- d) The use of the green belt areas of Ickenham between Harvil Road and Breakspeare Road South as spoil dumps.

23 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

24 Your petitioner is 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 the petitioners' grandchildren walking to Vyners School.

Vibration

25 Your petitioner is concerned about the effects of vibration arising from the construction of the high speed railway and associated development including heavy construction traffic on our road. In addition to your petitioners' concern for their properties the ward of Ickenham includes ancient buildings and structures which are situated close to proposed construction routes and do not have substantial foundations.

26 Your petitioners request that there should be binding mitigation measures including vibration and resultant damage mitigation and monitoring system in place before commencement and during construction and operation. Binding mitigation measures should include but not be limited to an express obligation to undertake specific measures to limit structural and other damage to the Property.

Drainage and flooding

- 27 Your petitioners are very concerned that there is an increased risk of surface water flooding from placement of excavated material and construction of works between Harvil Road and Breakspear Road South. Breakspear Road South has already experienced flooding as a result of surface water flowing from the fields and the dumping of waste 3 metres high in these fields represents a serious risk to our property.
- 28 Your petitioners believe that the Bill as it stands makes no provision to safeguard your petitioners' road and property from flooding and groundwater contamination and the provisions necessary for their protection have been omitted from it. Your petitioners request that the nominated undertaker commission a detailed independent assessment of the risks of surface water flooding or the implications on ground water contamination which can form the basis of comprehensive mitigation proposals.

Proposed Railhead at Ickenham

- 29 Your petitioners request your honourable House to require that the proposed railhead at Ickenham be operational as soon as possible and well in advance of any tunnelling works, in order to minimise the transportation of spoil and materials by roads and the dumping of spoil in green belt areas of Ickenham between Harvil Road and Breakspear Road South.

'Sustainable Placement Areas'

- 30 Your petitioners are very concerned about the vast quantity of spoil that is to be dispersed in the fields opposite their property. Your petitioners 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 HS2 re evaluate the areas identified for the deposit of spoil in terms of their suitability and prepare alternative proposals for consultation.

Local Transport Services

- 31 Your petitioner is concerned that the proposals for HS2 will cause significant disruption to existing bus, rail and underground services. The U1, U9 and U10 bus routes are vital links for your petitioners and their parents and these services will be greatly impacted by the increased traffic congestion levels. The extensive construction works and railhead required at West Ruislip are a particular cause for concern as the LT Central Line and Chiltern railway are used by your petitioners. Your petitioners request your honourable House to require assurances from the undertaker that your petitioners' transport services will not be disrupted during construction works.

Landscape

- 32 Your petitioners understand from the Environmental Statement that there will be significant adverse impacts on their landscape both during the ten year construction phase and from the dumping of excavated materials in the fields opposite their property. Your petitioners believe that as the Bill stands it makes no provision to protect the landscape character of their area and request that the Bill is amended so as to provide protection to your petitioners.

Compensation

- 33 Your petitioners submit that the compensation provisions in relation to property that is not compulsory acquired and other matters are not sufficient to compensate your petitioners adequately for the loss and damage they may incur as a result of construction and operation of the high speed railway and associated development. Our property will be affected by blight from construction sites and construction traffic for a period up to 10 years and your petitioners are unable to sell their property at un blighted prices.

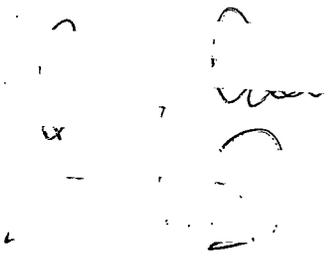
Your petitioners requests that the Bill should be amended to ensure your petitioners should be entitled to claim compensation.

Heathrow Spurs

- 34 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.
- 35 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and constituents' rights and interests and for which no adequate provision is made to protect your Petitioners.

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 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

Handwritten signatures and initials, including a large 'x' and several scribbled lines.

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PETITION OF BRIAN ADAMS & OTHERS

AGAINST, by Counsel, & c

Contact: Brian Adams