

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013-14

HIGH SPEED RAIL [LONDON-WEST MIDLANDS]

PETITION

Against the Bill - praying to be heard by counsel,&c

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TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND IN PARLIAMENT ASSEMBLED.

THE HUMBLE PETITION OF John Donovan

SHEWETH as follows: -

1. A Bill [hereinafter called "the Bill"] has been introduced into 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 Schedules 1 and 2 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 and Schedules 2 and 3 to the Bill.
7. Your petitioner is the freehold owner of 122 Hoylake Crescent, Ickenham, UB10 8JG, which is located in the London Borough of Hillingdon. Your petitioner has owned this property since 1993.
8. Your petitioner alleges that his 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 he accordingly objects to the Bill for the reasons, amongst others, hereinafter appearing.
9. Your petitioner opposes 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 alleges that the Government should have carried out a Strategic Environmental Impact Assessment prior to its decision to proceed with the HS2 scheme in January 2012. Furthermore, your petitioner considers that the Environmental Statement fails to comply with the Environmental Impact Assessment Regulations, the HS2 proposal will cause harm to the open countryside and Green Belt land, which is arguably contrary to the National Planning Policy Framework, insufficient time has been allowed for comprehensive consideration of the Environmental Statement consultation responses and that there has been a wholly inadequate summary of these responses which has overtly omitted vast amounts of very significant information which should have been included.
11. There are a number of matters which cause great concern to your petitioner, arising from the proposals in the Bill, which affect your petitioner's property.
12. Your petitioner's property is separated from the existing Chiltern line railway and the proposed high speed railway line by a narrow stretch of land known as King George V Playing Field.
13. Your petitioner is very concerned that his property and the well being of his wife and himself will be adversely impacted by the noise, vibration, light pollution and poor air quality caused by the planned construction works in Ickenham, much of which will be close to his home and is proposed to take place 24 hours a day, 7 days a week, giving no respite from the above. Your petitioner submits that the high speed railway should be constructed in a tunnel through Ickenham and the Colne Valley. The following paragraphs set out the remedies that your petitioner seeks as a minimum should your honourable House not find in favour of a tunnel.
14. Your petitioner requests your honourable House to require that the nominated undertaker ensures that the hours during which the construction works take place in Ickenham are uniform and restricted to 8am. – 5pm. operation only between Mondays to Friday.

15. The consequences of these works, high speed trains, 18 an hour in each direction, 36 an hour in total when fully operational will inevitably disrupt your petitioner's home environment including his and his family's enjoyment of their garden and their house due to noise, vibration and the visual impact of HS2 as it starts to rise on a viaduct to clear the river Pinn and Breakspear Road South with the overhead gantries being visible. At the present time a line of mature trees are between the Chiltern line and the proposed HS2 line, your petitioner requests these be kept as they would help to obscure the visual impact of HS2.

16. Your petitioner requests your honourable House to ensure that the nominated undertaker only uses proven effective measures of mitigation and to include, binding mitigation measures including vibration and resultant damage mitigation and monitoring systems are 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 and are implemented so that he can continue to enjoy the peace and quiet of his garden and not be affected when inside by noise, vibration and visual impact from the construction and operation of HS2.

17. Your petitioner and his wife are light sleepers and consider the noise from the construction and operation of the proposed high speed rail will adversely affect their sleep and consequently their health.

18. Your petitioner contends that he will not benefit from the project as the trains will not stop at West Ruislip station, his nearest station operating a service to Birmingham. For your petitioner to use the high speed line he will have to travel to central London, actually doubling his journey time.

19. Your petitioner considers the compensation offered is unsatisfactory. The loss in value to his home, which he considered to be part of his retirement plan, to be used when the time came to down size and provide a small income from the balance left from the sale of his home. Therefore your petitioner believes that the compensation zones should be extended, especially as so many homes will be affected by property blight in what is a heavily populated area, but under current proposals are not covered.

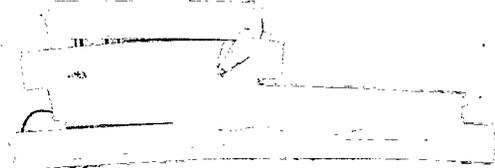
20. Your petitioner would contend that traffic congestion will be further increased in Ickenham by the closure of the West London Waste Centre in South Ruislip at the end of May 2014, resulting in the Harefield site in Harvil Road being the only site available to residents in the north of the borough of Hillingdon. This will result in major traffic problems in Harvil Road and Breakspear Road South.

21. Your petitioner requests your honourable House to require the nominated undertaker to ensure that all mitigation measures are fully funded, regularly inspected and maintained in order to ensure they remain effective for the period of time the line is operational.

22. Your petitioner humbly submits that the proposed route was chosen purely to provide a link to Heathrow and was not the original proffered route. As the future of Heathrow as the main hub airport now is in doubt, it is unreasonable and unjust that your petitioner will suffer personal and financial hardship as a result of the route being chosen for a reason that may never happen.

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 he may be heard by his 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 Petitioner and in support of such other clauses and provisions as may be necessary or expedient for his 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, &cc.

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John Donovan

IN PARLIAMENT

HOUSE OF COMMONS SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF JOHN DONOVAN

AGAINST, by Counsel, & c

John Donovan

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