

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

Gayle Metcalfe

Caitlin Metcalfe

Susan Barnes

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 the following properties which are located in the London Borough of Hillingdon.
  - 119 The Greenway, Ickenham, Middlesex UB10 8LS
  - 119 The Greenway, Ickenham, Middlesex UB10 8LS
  - 107 The Greenway, Ickenham, Middlesex UB10 8LU
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 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.
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 your petitioners 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 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 petitioners in ways which have not yet been considered

## Colne Valley Tunnel

14. 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 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
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 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

16. Your petitioners request full assurance that there will be no construction of ANY kind on the land forming 107 The Greenway as in the past HS2 Ltd have misled the owner and family regarding part demolition
17. Your petitioners request full assurance that the drive of 107 The Greenway will be useable at all times whilst the utilities construction takes place as the owner of the property who is in her 70s and registered disabled requires access to the property via car at all times. And that whilst the said construction takes place the crossway to the property is kept clean so as to avoid taking any debris in and out of the driveway in the cars.
18. Your petitioners request full assurance that all boundaries to the property, 107 The Greenway, i.e. fences will be maintained during the utilities construction and that should anything happened to them that they are fixed immediately as there are several animals at the property that could escape if fences are damaged.
19. Your petitioners request full assurance that no trees that are on the boundaries of the property, 107 The Greenway, are damaged in any way during the utilities construction as these were put in place some 40 years to give the garden some privacy due to it holding a swimming pool
20. Your petitioners request full assurance that privacy will be kept to its maximum for the occupants of the property, 107 The Greenway, at all times during construction. No contractors should be able to overlook the property and appropriate screenings should be supplied if necessary as the garden is used a lot and there is a swimming pool at the property.
21. Your petitioners request full assurance regarding 107 The Greenway, that dust will be kept to a minimum during the construction as there is a large Swimming Pool Heater that is adjacent to the property line/ Construction line and that should excessive amounts of dust/debris be allowed to collect on said Heater and it needs any repair or replacement that this is done by HS2 Ltd. Also that the pool and covers will need to be cleaned more regularly due to construction dust and debris.

22. Your petitioners request full assurance that no natural light will be interrupted to the property, 107 The Greenway, at any time.
23. Your petitioners request full assurance that no spot lights will be directed at the property, 107 The Greenway, during construction as these are extremely intrusive.
24. Your petitioners requests a noise monitor to be installed at 107 The Greenway and 119 The Greenway for the start and full duration of construction and noise levels to be agreed with by the owner and should the noise be exceeded work stops immediately.
25. Your petitioners request full assurance that the owner and occupants of the property, 107 The Greenway, are to be advised of times and dates when working next to the house, giving at least two weeks' notice.
26. Your petitioners request full assurance that work should not commence before 8 am on weekdays and 9 am on weekends and no work should take place after 6pm on any day.
27. Your petitioners request full assurance that no utilities services to the property should be interrupted and if under extreme circumstances this is required compensation should be given.

#### **Vibration**

28. Your petitioners are concerned about the effects of vibration arising from the construction of the high speed railway and associated development including heavy construction traffic.
29. Your petitioners are also concerned that the operation of the high speed railway will give rise to vibration.
30. Vibration will severely impact upon the use and enjoyment of the Property by your Petitioners.
31. 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 vibration can be felt in the Property and there are no other adverse effects.
32. 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,

#### **Noise**

33. 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 sites in Harvil Road, Breakspear Road South and Ickenham High Road for a period of ten years.

34. 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**

35. 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 up to 10 years with other constructions sites in nearby Harefield will cause significant disruption and congestion to Ickenham suburban roads by HGV traffic which are 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 already heavily congested during morning and evening peak times. A number of side roads such as Cophthall 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.
36. Your petitioners also request that the nominated undertaker be required to mitigate by amending the Code of Construction Practice to strictly enforce the measures such as but not restricted to the following:-
- (a) 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).
  - (b) 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.

### **Health and Welfare**

37. 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**

38. 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. Breakspear 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 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**

- 39. 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 the petitioners' schoolchildren walking to Vyners School.

### **Drainage and flooding**

- 40. Your petitioners are also 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. Your petitioners believe that the Bill as it stands makes no provision to safeguard your petitioners' roads and properties 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**

- 41. Your petitioners would 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'**

- 42. Your petitioners are concerned about the vast quantity of spoil that is to be dispersed in Ickenham. 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

43. Your petitioners are 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 many of your petitioners' older constituents 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 to travel to their places of work. 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

44. 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. 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.

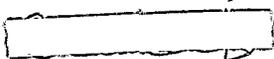
## Heathrow Spurs

45. 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.
46. 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.

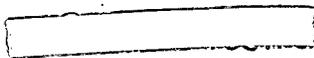
YOUR PETITIONERS therefore humbly pray your Honourable House that the Bill may not be allowed to pass into law as it now stands and that they may be heard by their Counsel, Agents and witnesses in support of the allegations of this Petition against so much of the Bill as affects the property, rights 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.

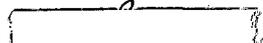
[Signature of Petitioner(s) in person, or Agent for the Petitioner]



Gayle Metcalfe



Caitlin Metcalfe



Susan Barnes

IN PARLIAMENT

HOUSE OF COMMONS SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF GAYLE METCALFE & OTHERS

AGAINST, by Counsel, & c

Gayle Metcalfe

[REDACTED]  
[REDACTED]  
[REDACTED]