

PETITION AGAINST A PRIVATE BILL:

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 Andrew Hartley Dismore, London Assembly Member for Barnet and Camden

SHEWETH as follows:-

1. A Bill (hereinafter referred to as "the Bill") has been introduced and is now pending in your honourable House entitled "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 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 Andrew Hartley Dismore AM, who is the elected London Assembly Member for Barnet and Camden. As such your Petitioner is responsible for representing the people of Camden to the Mayor of London and Greater London Authority and has a responsibility towards the protection of said constituents, including the protection of property rights, security and interests and those of the citizens, inhabitants of Camden. Your Petitioner can be contacted at the London Assembly in writing at City Hall, The Queens Walk, London, SE1 2AA or by email at andrew.dismore@london.gov.uk.
8. Your Petitioner is injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.
9. The petition alleges that The Bill is completely unacceptable to the inhabitants of the area affected.
10. The Bill includes powers for the Secretary of State and Nominated Undertaker to undertake works of construction which are estimated to take at least 10 years to complete and will include creation of dust, noise pollution and poor air quality.
11. The construction works will lead to increased lorry movements in the Euston area. The scheme will visually blight the area over the minimum 10 years period and 24 hour working will lead to sleep deprivation and health issues for your Petitioner's constituents living within the HS2 construction area.
12. The Bill if not amended will mean that social housing tenants who are to be evicted from their homes will not be rehoused locally. The compensation offer for home owners who purchased their properties under 'right to buy' and for leaseholders ranges from inadequate to being scandalous. The compensation arrangements for the London Borough of Camden to rehouse affected citizens is poor.
13. Citizens residing nearby will be affected by 10 years of local devastation. Little in the Bill offers assistance to residents affected and little mitigation, if any is

offered. Residents 'blighted' by the Bill's proposals will not receive the same compensation arrangements as those living outside Greater London.

14. Your Petitioner is concerned to ensure that the hours during which construction activities take place are restricted so as to ensure that disturbance is minimised for residents of the Borough, businesses, tourism, educational establishments and health care facilities.
15. The type, proximity and inter-related nature of the many proposed work sites that will be required strongly suggests to your Petitioner that 24 hour working may be inevitable over extended periods if the Promoters and Nominated Undertaker are to meet their proposed timetable. The works in the Borough will take place in high density urban areas and in very close proximity to hundreds of residents and businesses, as well as others visiting the area. Your Petitioner asks that the Promoters be required to give an undertaking fundamentally to review their construction strategy to reduce the impacts of construction activities and to do so in close and open cooperation with residents so that schemes and methods of work can be devised that will minimise adverse impacts. Your Petitioner specifically does not consider that the proposed COCP currently relied upon by the Promoters is adequate to meet these particular circumstances.
16. It is unclear what the impact of the Bill will be on properties in this highly densely populated and commercially intense area of London. Your Petitioner's constituents residing in the area remain extremely concerned by the effect of vibrations from large construction works.
17. Residents whose properties are affected who are outside the compensation zones will not be compensated for this blight, despite living within an affected geographical area.
18. Air pollution within the Euston area is already amongst the worst in London. Your Petitioner does not believe that the construction plans included in the Bill address the issue of air pollution in Euston and believes that they need to be revisited and amended. The duration of works will mean that residents will have increased pollution levels for at least ten years.
19. Your Petitioner has concerns relating to the effect on businesses which apply throughout the Borough, where an estimated 244 businesses are in the safeguarded area, 62 businesses are affected by demolition and many hundreds more will be detrimentally affected by the impact of construction.
20. Euston in particular is one of London's most successful commercial areas. It has an internationally renowned concentration of research and knowledge services alongside creative and cultural industries. Euston's highly varied business environment also includes membership organisations, hotels, specialist independent and cultural businesses and local shops.

21. Businesses in the affected area face economic ruin. The Bill does not offer compensation arrangements for businesses facing losses from the proposal. No mitigation is offered to those businesses affected especially those in Drummond Street which rely upon the current Euston terminus.
22. As a result of demolition, 29 businesses in the Euston area will be forced to close or relocate. Major disruption from construction will deter visitors and reduce local spend in the economy.
23. It will be difficult for all the effects mentioned above to be mitigated to a satisfactory degree. Your Petitioner requests your honourable House to require the Promoters or the Nominated Undertaker to implement at least the following mitigation measures:
 - a) significantly enhanced compensation for businesses: businesses must be fully compensated by HS2 Ltd for all adverse impacts of the scheme in advance;
 - b) business advice and support service: provision of a point of contact for advice and support service for businesses, providing businesses with access to specialist professional support and legal advice to enable businesses to plan for HS2 and maintain business as usual;
 - c) access to specialist commercial property support: for businesses forced to relocate due to the direct or indirect effects of HS2, fully funded support to find similar alternative accommodation in Camden or in the redeveloped station site, linked to a comprehensive package of compensation. This will maintain jobs and economic activity in the area alongside established ties and networks within the business community.
24. Your Petitioner is not satisfied that full consideration has been given to the severity of the detrimental impact of the cumulative effects of the proposed works, and the pressure that those effects will have on housing in the Euston area (including both sides of the station and Ampt Hill Estate), the railway cutting and associated areas. An assessment of the cumulative impacts and proper baseline surveys need to be undertaken by the Promoter in advance of the construction of the works and appropriate mitigation measures should be determined.
25. There are at least 250 homes which are located very close to the works in the Euston area and which your Petitioner considers needs further review to ensure they will be habitable during the construction phase and when the trains start operating. There will be significant impacts due to increased traffic and road closures, loss of amenity and greenery, and effects of noise, vibration and dust from nearby construction works for at least ten years.

26. In addition to these 250 homes, some hundreds of others in the Euston area will inevitably experience a number of cross cutting cumulative impacts for a long period of time. The Environmental Statement deposited with the Bill (the "ES") acknowledges that cumulative impacts arise from the construction of the Bill's proposals, but does not assess them. Your Petitioner considers it essential that the Promoters should carry out a habitability assessment forthwith to determine if any occupiers of those numerous homes would need re-housing on a temporary or permanent basis and for those that do not need rehousing, how the adverse impacts they face can be mitigated. Your Petitioner requests a commensurate undertaking be required from the Promoters to this effect.
27. Your Petitioner strongly opposes the decision to construct the HS2 railway line with a terminus station at Euston because of the devastating impact the construction and operation of the line will bring to parts of the Borough, which no amount of mitigation or compensation can address. Across the Borough the proposals will include the demolition of 223 homes (including 136 units of social housing in the Euston area). Over 62 businesses will be forced to close or relocate due to demolition with 242 businesses located within the safeguarded area. Many hundreds of additional homes and businesses will be put at risk due to their proximity to the proposed line. There will be a negative impact on local schools, the loss of open spaces and community facilities, and demolition of listed buildings. In addition to the impact around Euston, tunnelling is also proposed to go through parts of the Borough and as a result two ventilation shafts would need to be built within the Borough at Alexandra Place and Adelaide Road.
28. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect constituents of your Petitioner and their rights, interests and property and for which no adequate provision is made to protect your Petitioner's constituents.

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 counsel, himself 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 his constituents 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.

Signed Andrew Hartley Dismore AM

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PETITION OF ANDREW HARTLEY DISMORE

AGAINST, By Counsel, &c.

Andrew Hartley Dismore AM

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