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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

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

THE HUMBLE PETITION OF COUNCILLOR HENRY HIGGINS

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 Ward Councillor for the Harefield ward in the London Borough of Hillingdon and has been elected to represent the interests of his constituents in this area.

8. Your petitioner alleges that he and his property, rights and interests and those of his constituents 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. Your petitioner is a resident in the London Borough of Hillingdon and his address is 64 Hillside Road, Northwood, Middlesex HA6 1QB.

Introductory

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 petitioners, arising from the proposals in the Bill. Some of these points apply generally to the whole length of the line within the London Borough of Hillingdon and some of the points are specific to the Harefield ward.

General Concerns

12. Your petitioner notes that the proposed route for HS2 is in tunnel between the eastern boundary of the Borough until it emerges at Ickenham High Road, West Ruislip. It is then proposed to go overland as it travels through Ickenham westwards towards the Colne Valley, where, on a Viaduct, it would cross the Grand Union Canal, Mid Colne Valley Site of Special Scientific Interest, the River Colne and a number of lakes in the valley. Your petitioner respectfully submits that the proposal to carry the railway overground through the area between Ruislip and the M25 will give rise to a number of serious adverse environmental impacts which are summarised in the following paragraph. In your petitioner's 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.

13. The reasons behind your petitioner's submission that the high speed railway should be constructed in a tunnel through Ickenham and the Colne Valley include the following:

[a] closure of Hillingdon Outdoor Activity Centre [HOAC]

[b] impact on landscape

[c] location of excavated material

[d] impact on ecology

[e] impact on the Colne Valley Regional Park

[f] impact on agriculture

[g] impact of noise

[h] impact on highways

[i] impact on public rights of way

14. Your petitioner believes that the decision not to proceed with a tunnel under the Colne Valley was taken at the outset of the project and has not been reconsidered, despite the environmental impacts in Hillingdon being far greater than envisaged at the outset. HS2 Ltd. have acknowledged that a thorough assessment of a tunnel extension has not been carried out and to your petitioner's knowledge, no costing or detailed engineering works have been done in order to assess the viability of a tunnel extension properly.

15. Given all the concerns and issues arising from the overland route in Hillingdon, your petitioner believes that the additional costs of an extension of the London tunnelling from Ickenham High Road, through Ickenham, and under the Colne Valley lakes would be justified. The following paragraphs set out in more detail your petitioner's justification for a tunnel and they also explain the remedies that your petitioner seeks as a minimum in respect of the matters that are covered, should your honourable House not find in favour of a tunnel.

Specific Concerns

Loss of facilities at Hillingdon Outdoor Activities Centre [HOAC]

16. HOAC has been based in Harefield since 1990 and this unique facility will have no option other than to close during the construction of the viaduct. It is also extremely unlikely that HOAC will be able to reopen after the construction works have been completed due to the noise of the trains and the location of the proposed piers of the viaduct spanning the lakes.

17. In the event that your honourable House does not find in favour of a tunnel under the Colne Valley, your petitioner would request your honourable House to require the Nominated Undertaker to ensure that a high quality designed single span viaduct across the Valley should be constructed, if possible, to allow for the continuation of water based activities to take place and

also to facilitate sufficient noise mitigation to enable the noise and vibration levels from high speed trains to be kept to an absolute minimum.

18. In the likely event that HOAC will be forced to close for good, your petitioner would request your honourable House to require the Nominated Undertaker to ensure that every possible avenue is explored to find a suitable alternative location including Broadwater Lake. In the event that no suitable alternative location can be secured, your petitioner would require the Nominated Undertaker to compensate the landowner and HOAC for all losses incurred and to contribute to a community compensation fund for the loss of this valuable community facility.

Landscape

19. Your petitioner and his constituents are very concerned about the vast quantity of soil that will be dispersed across Harefield. The areas that have been selected for the "Sustainable Placement" of material have not been properly assessed. The impact of this on the landscape in Colne Valley will be significant, both during the construction works and indeed afterwards. The landscape will also be affected by the realignment of pylons, the creation of new woodland in open countryside and the large mounds of earth that will be deposited on the roads. Your petitioner would require your honourable House to require the Nominated Undertaker to re-evaluate the areas identified for the deposit of spoil in terms of their suitability and to prepare and agree alternative proposals as necessary. Your petitioner also requires the Nominated Undertaker to develop comprehensive proposals, in consultation with your petitioner and his constituents, so as to safeguard the landscape character of Harefield.

Excavated Materials

20. The proposed location for excavated material at Harvil Road is unacceptable based on the assessment which HS2 Ltd has carried out to date. The material will be deposited on a site with significant contamination problems over sensitive ground water. This issue is exacerbated by the Environment Agency's wish to reopen a water abstraction point which is located to the east of the site. Your petitioner believes that dumping of material on this site could serve to undermine the already highly sensitive pathway from contamination to groundwater. A further consideration is that the land south of Harvil Road which has been specifically chosen for dumping excavated material severs the existing available farmland.

21. Your petitioner would request your honourable House to require the Nominated Undertaker to re-evaluate the proposed location for excavated material at Harvil Road.

Ecology

22. The ecology of the Colne Valley Special Site of Scientific Interest and several smaller nature conservation sites in Harefield will be adversely affected by Phase One of HS2. Examples of the types of habitat that will be lost include woodland and ancient woodland, open grassland, hedgerows, ten ponds, open water and open watercourse. Your petitioner would request your honourable House to require the Nominated Undertaker to take all practicable steps to protect the ecology in Harefield.

Colne Valley Regional Park

23. The objectives of the Colne Valley Regional Park include maintaining the historic environment, conserving and enhancing biodiversity within the Park, providing opportunities for recreation, achieving a vibrant and sustainable rural economy and finally, encouraging community

participation including volunteering and environmental education. Your petitioner is very concerned that Phase One of HS2 will threaten these objectives and your petitioner would request your honourable House to require the Nominated Undertaker to put into place suitable measures so as to ensure that the objectives of the Park can continue to be met.

Agriculture

24. There will be a loss of approximately 200 hectares of farmland in the Colne Valley with only a possible 145 hectares being restored on completion of the construction works. The Nominated Undertaker has failed to carry out a proper assessment of the implications for agricultural landowners and uses arising from Phase One of HS2. Your petitioner would request your honourable House to require the Nominated Undertaker to ensure that a proper assessment is carried out and suitable measures are put into place which will afford protection to and retention of agricultural uses.

Noise

25. There will be significant adverse noise impacts on the tranquil nature of the Colne Valley which allows for the quiet enjoyment of this recreational area for both land and water based activities. Your petitioner wishes to ensure that the Nominated Undertaker should provide a detailed site specific noise mitigation plan during the operational phase of the construction works and measures which will provide suitable protection to your petitioner and his constituents.

Highways

26. Your petitioner and his constituents are very concerned about the significant disruption which will be caused to the local and wider road networks arising from construction traffic. The construction works will take place over a number of years and your petitioner and his constituents will be adversely affected by the large number of additional HGV movements along the main roads which are used on a daily basis to enter and exit the wider Harefield area. It is an inevitable consequence of the construction works that buses and other road traffic will suffer significant disruption.

27. Your petitioner would request your honourable House to require the Nominated Undertaker to at all times during the construction works maintain adequate access through Harefield generally and specific access to and from your petitioner and his constituents' homes and requires the nominated undertaker to prepare and implement HGV traffic management plans which will be strictly adhered to. Your petitioner also requires that the disruption that will be caused to Harvil Road, Breakspear Road North and South and Moorhall Road will not be in excess of a period of six months.

Public rights of way

28. The proposed diversion of public rights of way which would be required in the event that the high speed railway is not constructed in a tunnel are so lengthy that they are unacceptable and Public Bridleway U42 and certain footpaths, U43 U36 U37 U38 U31 U32 U42 U75 U34, are to be diverted on to busy roads with no footways thereby representing a potential danger to life and limb. Your petitioner would request your honourable House to require the Nominated Undertaker to re-evaluate the proposed diversions of the Public Bridleway U42 and the above footpaths so as to eradicate any risk to public safety and also to ensure that the extent of the proposed diversions are reasonable.

29. The proposed diversion of public footpaths from the north side of New Years Green Lane, connecting with Breakspear Road South is unacceptable as pedestrians would be forced out on to a road, which is a busy commuter route, that has no footways. Your petitioner would request your honourable House to require that the Nominated Undertaker re-evaluates this proposed diversion so as to eradicate any risk to public safety.

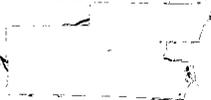
30. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your petitioners and their rights, interests and property and for which no adequate provision is made to protect your petitioners.

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 Petitioners in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

Councillor Henry Higgins

Cancelled



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