

0736

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 Douglas Mills  
Councillor Michael Markham  
Councillor Susan O'Brien

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 petitioners are the Ward Councillors for the Ruislip Manor ward in the London Borough of Hillingdon and have been elected to represent the interests of their constituents in this area.

8. Your petitioners allege that they and their property, rights and interests and those of their 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 petitioners are residents in the London Borough of Hillingdon and their respective addresses are 13 Roundways, Ruislip, Middlesex, HA4 6EA, The Oaks, 50 Pinn Way, Ruislip, Middlesex, HA4 7QF and c/o The Civic Centre, Uxbridge, Middlesex UB8 1UW.

### **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 allege 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 petitioners consider 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 Ruislip Manor ward.

### **General Concerns**

12. Your petitioners note 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 petitioners respectfully submit 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. In your petitioners' 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. Your petitioners believe 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 petitioners' knowledge, no costing or detailed engineering works have been undertaken in order to assess the viability of a tunnel extension properly.

14. Given all the concerns and issues arising from the overland route in Hillingdon, your petitioners believe 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.

## **Specific Concerns**

### **Tunnelling**

15. It is proposed that a tunnel will be constructed under the land in Ruislip Manor through which the high speed trains will pass; no trains will run on an overland route through your petitioner's ward.

16. The proposed excavation of tunnels is likely to have an adverse settlement impact which may cause damage to buildings and structures in Ruislip Manor. Your petitioners are particularly concerned about properties in which your petitioners and their constituents have a legal interest. In your petitioner's respectful submission, the Nominated Undertaker should be required to provide, in advance of commencement of tunnelling, details of the expected impact on each property in which your petitioners and their constituents have an interest. This information should be provided to your petitioners and their constituents and should be accompanied by a statement of the method by which the impact is to be monitored before, during and after construction. Furthermore, the Nominated Undertaker should be required to carry out appropriate safeguarding works including full condition surveys and monitoring and the proposals for these works should be submitted to your petitioners and their constituents and implemented in an agreed form.

17. Your petitioners are also concerned to ensure that the hours during which tunnelling and spoil removal from tunnelling takes place are programmed and minimised so as to prevent undue noise and vibration to residents and businesses during sensitive times. Your petitioners are also particularly concerned about the effects of reradiated noise at those worksites where spoil is to be removed and your petitioners wish to ensure that the Nominated Undertaker complies with the strictest standards as regards minimising such noise and vibration.

18. Your petitioners have a number of additional concerns arising from the proposed tunnelling works. Insufficient information has been provided in relation to the potential consequences of water discharge caused by the works. Your petitioners would request your honourable House to require the Nominated Undertaker to take all practicable steps to minimise the possibility of water discharge and in the event that it does occur, to rectify any damage caused to your petitioners and their constituents' properties and to pay your petitioners and their constituents full and proper

compensation for any loss which they may suffer as a consequence of water discharge arising during the construction of the tunnel and or when the tunnel has finally been constructed.

19. The length of time it will take to construct the tunnel and the consequent disruption that this will cause to your petitioners and their constituents arising from the additional lorry movements along the main roads that are used on a daily basis to enter and exit the Ruislip area is also of fundamental concern to your petitioners. Your petitioners wish to ensure that the Nominated Undertaker will guarantee access to their and their constituents' homes and more specifically that disruption to West End Road, Ruislip between Bridgewater South and Sidmouth Drive will not exceed a total period of six months.

20. During the period of disruption to West End Road, your petitioners would request your honourable House to require that the Nominated Undertaker will firstly, permit at least one side of West End Road to remain open at all times to allow for a degree of traffic flow and secondly, the construction works at the junctions of West End Road with Sidmouth Drive, Bridgewater Road and Long Drive should be undertaken at different times so as to avoid the whole of the road to and from the Polish War Memorial coming to a halt.

21. Your petitioners and their constituents enjoy the ability to use Harefield as a green lung of the borough of Hillingdon and are therefore concerned that it is proposed that spoil from the excavation of the tunnel will be deposited along several Harefield roads thereby removing the ability to view fields and instead be confronted by a large number of mounds of earth. Your petitioners therefore wish to ensure that the Nominated Undertaker minimises the amount of spoil deposited.

#### **Compulsory acquisition of subsoil or undersurface of properties**

22. Clause 4 of the Bill gives the Secretary of State the power to acquire compulsorily land required for Phase One purposes. Clause 8 of the Bill provides that the power under clause 4 may be exercised in relation to the sub-soil or under-surface of the land only.

23. It is an inevitable consequence of the tunnelling works which will be undertaken in Ruislip Manor that there will be a need for the subsoil or undersurface of properties in which your petitioners and their constituents have a legal interest to be compulsorily acquired. Your petitioners and their constituents were served with a Notice dated 25 November 2013 on behalf of the Nominated Undertaker. Attached to the Notice was a schedule setting out what rights would be exercised by the Nominated Undertaker over your petitioners and their constituents' properties.

24. The Notices and accompanying schedules are not replicated in the Bill and your petitioners wish to ensure that the Nominated Undertaker does not take any steps to compulsorily acquire any part of their or their constituents' properties with the exception of the subsoil or undersurface and furthermore, that the Nominated Undertaker does not in any way depart from the terms of the Notices and accompanying schedules which were served on your petitioners and their constituents and that it enters into Settlement Deeds which are acceptable to your petitioners and their constituents.

#### **Loss of facilities at Hillingdon Outdoor Activities Centre [HOAC]**

25. Your petitioners and their constituents enjoy the community based HOAC facilities which are located in Harefield. HOAC is a unique facility and will inevitably close if the Bill is enacted in its current form. Your petitioners therefore reiterate their request that a bored tunnel should be constructed instead of an overland route across Ickenham and the Colne Valley. Alternatively, if

HOAC is forced to close, your petitioners wish to ensure that the Nominated Undertaker will identify and implement an equivalent site for HOAC within an area of five miles of its existing location in Harefield.

26. 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, &cc.

Councillor Douglas Mills

*Councillor*

Councillor Michael Markham

*Councillor*

Councillor Susan O'Brien

*Councillor*

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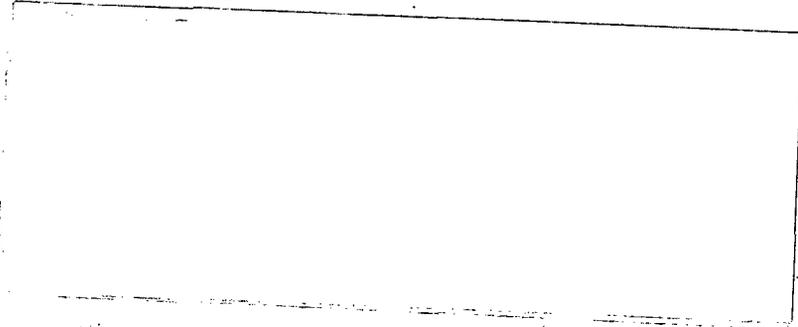
PETITION OF COUNCILLOR DOUGLAS MILLS

COUNCILLOR MICHAEL MARKHAM

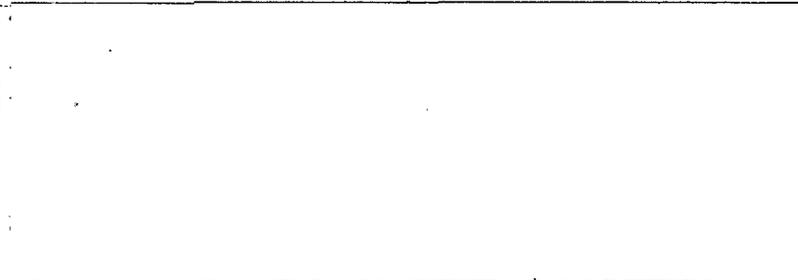
COUNCILLOR SUSAN O'BRIEN

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