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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 ALLAN KAUFFMAN
COUNCILLOR JUDY KELLY
COUNCILLOR SHIRLEY HARPER O'NEIL

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 South Ruislip 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 43 Jubilee Drive, South Ruislip, Middlesex HA4 0PA, 45 The Croft, South Ruislip, Middlesex HA4 0SF and 63 Crosier Way, Ruislip, Middlesex HA4 6HG.

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 South Ruislip 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 South Ruislip through which the high speed trains will pass; no trains will run on an overland route through your petitioners' ward.

16. The proposed excavation of tunnels is likely to have an adverse settlement impact which may cause damage to buildings and structures in South Ruislip. 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 West End Road, Victoria Road and Station Approach is also of fundamental concern to your petitioners.

20. During this period of disruption, your petitioners would request your honourable House to require that the Nominated Undertaker will guarantee access to them and their constituents' homes and more specifically that full access will be guaranteed to West End Road, Victoria Road and Station Approach during day light hours.

21. The main water supplies and sewage pipes will need to be replaced as a consequence of the construction works and your petitioners would request your honourable House to require the Nominated Undertaker to take all necessary steps to minimise disruption to your petitioners and their constituents during the period of the these works.

22. Your petitioners and their constituents are very concerned about the South Ruislip ventilation shaft. Your petitioners would request your honourable House to require the Nominated Undertaker to fully consult your petitioners and their constituents in relation to such local matters as the design and appearance of the shaft, its precise location and relationship with existing buildings and the extent to which noise and vibration from the shaft can be kept to an absolute minimum.

Bridgwater Open Space

23. Bridgwater Open Space is a major park in the London Borough of Hillingdon which is located in South Ruislip. This open space houses Spider Park and the Council of the London Borough of Hillingdon has recently spent £120,000 for the purpose of updating play equipment. Your petitioners and their constituents are very concerned that this area may need to be dug up as part of the tunnelling works in South Ruislip. Your petitioners would request your honourable House to require the Nominated Undertaker to provide assurance that in the event that all or any part of Spider Park is dug up, the Park will be completely refurbished to existing standards and your petitioners and their constituents will be fully compensated for any loss of amenity which they may suffer.

Compulsory acquisition of subsoil or undersurface of properties

24. 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.

25. It is an inevitable consequence of the tunnelling works which will be undertaken in South Ruislip 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.

26. 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)

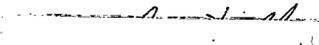
27. Your petitioners and their constituents enjoy the community based HOAC facilities which are located in Harefield. HOAC is a unique facility and will inevitably close if the Bill is enacted in its current form. Your petitioners therefore reiterate their request that a bored tunnel should be constructed 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.

28. 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 Allan Kauffman 

Councillor Judy Kelly 

Councillor Shirley Harper O'Neill 

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Against the Bill - By Counsel, & c

Councillor Allan Kaurffman

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