

**IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14**

**HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL**

Against – on Merits – 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 and Susan Smith, Manor Farm Barn, Radstone, Northamptonshire

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.

*Clauses of the Bill*

- 3 Clauses 1 to 36, together with Schedules 1-26 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, together with Schedules 27-28 deal with the regulatory regime for the railway.
- 5 Clauses 43 to 65 of the Bill, together with Schedules 29-31 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 ("the Authorised Works") 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 of the Bill.

*Your Petitioners and their concerns*

- 7 Your Petitioners are Andrew and Susan Smith who have lived in the village of Radstone, Northamptonshire for over 18 years, raising their family of two daughters. The village is a tranquil rural location with a total of 16 households. Our property will be within approximately 350 metres of the centre line of the proposed HS2 railway. Our property will be subject to severe noise and adverse visual impact during the operation of the trains and significant dust and disruption during the construction period.
- 8 Your Petitioners rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.

*Freedom to sell our home and property compensation*

- 9 Your Petitioners family circumstances are changing as our children get older and both our parents in their mid 80's, who live some distance away, become in greater need of our help and care. We are at a time in our lives where our responsibilities as parents and children require us to plan for allowing us to continue to fulfil our family commitments and adapt our own way of living.

These plans are likely to involve us selling and relocating our home in the near future, as many of our cohorts in similar family circumstances have the freedom to do. We would like to have this freedom to relocate as appropriate, release property capital to support our own retirement, provide some financial support to our children as they progress through their final stages of education and early adulthood and provide care for our elderly parents. Unfortunately due to the Promoters proposals our ability to make and potentially implement such plans have been very severely limited.

Property market experts tell us that due to the very close proximity of the line to our home, if we were to obtain any purchaser interest in our property it is going to be at substantially less than market value due to the blight on our property caused by the HS2 project implementation and operation. The Promoters have in many references in the Environmental Statement accompanying the Bill stated that even with the proposed mitigation, dwellings will suffer direct adverse noise effects and they consider it significant. Radstone as a village will be severely impacted both during HS2 railway construction and when operational. A severe impact on the property will be noise and surrounding visual intrusion, that at present the Promoter has not provided any sufficient mitigation against in their plans. Both neighbouring properties either side of your Petitioners have been purchased and are now owned by the Promoter. These factors combined severely restrict the proper functioning of the local property market and the potential future purchase of our home at anything near pre-blighted market value.

In your Petitioners view the Promoters have not put in place a sufficient property compensation scheme to ameliorate our situation from a project that allegedly will have substantial national benefits. This we believe to be very unfair.

This has had a very severe impact upon your Petitioners and their whole family, creating immense stress, worry and uncertainty. Family cohesion and long term stability are at risk. Your Petitioners do not believe it is the intention of the House to create such unfairness by the implementation of this project.

You Petitioners believe that the members of this House and Committee have a strong family ethic and one of fairness, and therefore we ask as your humble Petitioners not to pass the Bill in its current form without an adequate property protection scheme, that will allow your Petitioners to obtain a fair un-blighted market value for their property, giving them the freedom to relocate to continue their family responsibilities at a progressing time of life.

The current property scheme proposal may not in our circumstances allow us to fulfil our aspirations and family responsibilities, and therefore fall short of your Petitioners expectations and that of what we believe to be a fair society.

### *Noise*

- 10 Your Petitioners are very concerned about the substantial interference from noise and vibration the proposed rail line will have on their home. The Environmental Statement accompanying the Bill states that even with the proposed mitigation the village will suffer direct adverse noise effects and this is considered significant. Your Petitioners believe this will have a very severe impact upon their quality of life with associated impact on stress, loss of sleep and potentially health.

Your Petitioners are extremely concerned that the 50dB noise baseline established by the Promoters to consider significant noise mitigation is too high for this rural

location. The intermittent nature of train operations will create intense periods of noise around this average figure. Measures taken by South Northamptonshire Council in 2011 show a typical measure of 27-31dB during the day and 22-26dB at night.

Your Petitioners respectfully request that the Promoter should be required to modify its design to overcome these difficulties, by means of reducing the mitigation level to reflect the existing lower noise levels in rural areas, as measured independently by South Northamptonshire Council. This should be no more than 40dB during daytime and 35dB at night time for any receptor.

### *Visual Impact*

- 11 Your Petitioners are also extremely concerned about the visual impact the proposed rail line will have on the village of Radstone. The Environmental Statement identifies that the village will experience significant adverse visual effects due to fence barriers, overhead line equipment, two footpath over bridges and the newly constructed Radstone Road over bridge. This will permanently blight the beautiful rural character and setting of this ancient village and the grade 1 listed Church of St Lawrence and significantly reduce the true value of individual properties.

Your Petitioners respectfully request that the Promoter should be required to modify its design to mitigate against these issues.

### *Conclusion*

- 12 For the forgoing and connected reasons your Petitioners respectfully submit that, unless those clauses of the Bill referring to the proposed construction of HS2 as it affects your Petitioners are removed or amended, then the Bill should not be allowed to pass into law.
- 13 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.



Andrew and Susan Smith

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