

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

High Speed Rail (London – West Midlands) Bill

Against the Bill – 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 Ellesborough Parish Council

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 Secretary Patrick 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, 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 compulsory acquisition, the extinction and exclusion of rights over land, the temporary possession and use of land, planning permission and deregulation in connection with, inter alia, heritage and environmental matters. Clauses 37 to 52 deal with railway matters, nominated and statutory undertakers, regeneration and reinstatement and further high speed rail works. Clauses 53 to 65 contain miscellaneous and general provisions.

4. The nominated undertaker (defined in the Bill and hereinafter referred to as “the nominated undertaker”) is authorised by the Bill to construct and maintain the works specified in Schedule 1 to the Bill being works for the construction of Phase One of High Speed 2 and works consequent on or incidental to such works. These works are called “the scheduled works”.

5 Your petitioners are the Parish Council of Ellesborough, representing their parishioners who will be directly and injuriously affected by HS2.

Background

6 The Parish of Ellesborough is very rural, set in the Chilterns and its Area of Outstanding Natural Beauty (AONB). Within the parish there are 2 significant hills, Coombe Hill on which there is a memorial to the Great War and which gives views over the whole of the Vale of Aylesbury, and nearby is Beacon Hill which as its name implies is visible from a large area of the surrounding countryside. Because of the views, the area is very popular with walkers but a further attraction is the Chequers Estate, which is the country residence of the

Prime Minister. The proposed HS2 railway line will pass through the eastern corner of the parish directly below Coombe Hill, blighting the views from this popular spot.

7. The main industry within the parish is agriculture and there is no real centre of population. Within Ellesborough, the houses are widely spread along the roads which lead from Butlers Cross and there are other small clusters of houses at Terrick and Dunsmore. There are some 680 persons on the electoral role and the Parish Council has been elected to represent the people of the parish. In carrying out this duty, the Parish Council has been represented at the various HS2 meetings held for the HS2 Community Forum Areas 10 and 11 reflecting the views of the parishioners. The Parish Council has also submitted responses to the public consultations and the Environmental Statement.

8. The recent proposals to alter the alignment of the tunnel and finalise the position of its portal, mean that we are unable to specify exactly which properties will be seriously affected by the line. However, what is certain is that regardless of the alignment, some properties within the parish will be adjacent to the line and large areas of prime agricultural land will be permanently lost, with some farms becoming too small to be viable, and others having their land split in two making management very difficult. Apart from those properties which will be adjacent to the line, the remainder of the parish will be affected by noise and light pollution not only during the construction of the line, but also forevermore by its operation. Roads within the parish will be affected during the construction phase not only because of the increased traffic but also because they will have to be closed and re-routed. Lastly, the line will have considerable adverse effect on the views from the local hills.

9. Your Petitioner and his interests are injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken between Wendover and Stoke Mandeville. The works, which will have a considerable effect on the Parish of Ellesborough, consist of the termination of the tunnel as the line comes to the surface on the south side of Wendover and the maintenance loops adjacent to Nash Lee.

10. Your Petitioner's objectives in looking at the operation of HS2 are to persuade your Honourable House to protect the residents current enjoyment of the Chiltern's, an Area of Outstanding Natural Beauty, and protect Wendover town as a social and commercial community centre for people of this parish by lowering the line into a fully-bored tunnel as it passes through the Chiltern's AONB and passes closely to the town of Wendover.

11. Your Petitioner's concerns during the construction process of the scheduled works are varied and relate to the direct impact those works will have on people living in Ellesborough Parish. The parishioners rely on Wendover for the provision of health services and all normal amenities. During the construction phase access to Wendover will be seriously disrupted as the line cuts directly between the Parish and Wendover and the connecting roads will be the subject of major works to realign them and at times will be closed altogether. Similar disruption will occur to the footpaths in the parish and particularly those linking the parish to Wendover.

Problems caused by the construction process of the scheduled works.

12. Your Petitioner avers that during construction of the scheduled works there would be the following effects:

13. Your Petitioner has serious concerns over the provision of information by the promoter, both prior to the deposition of the Bill and up to the date of the deposit of this petition. The late admission that the maintenance loops were required and the now ongoing situation regarding the actual routing and length of the tunnel are 2 prime examples of how badly the project is being managed. This has meant that thorough and detailed assessments of the proposed project, its impacts, and benefits have been impossible to compile. For example the cost of proposed mitigation measures have been rejected on cost grounds but no detail provided as HS2 Ltd deem it commercially sensitive. More concerning is that in section 1(1) it states that the line as described could vary by +/- 3m up or down. These changes could have significant adverse effects of which we are not aware.

14. Your Petitioner is concerned that the proposed Construction Code of Practice (COCP) is not legally enforceable and, therefore, the contractors will ignore it to the detriment of the people of Ellesborough. In addition the self policing of this by the contractors may lead to many breaches with serious consequences on the Petitioner, but no penalty to the contractor

15. Your Petitioner is concerned that the 'undertaker' has no legal duty to ensure they deliver the undertakings and has no legal powers to ensure that the contractor does what is promised.

16. Your Petitioner is concerned that working hours outlined in the COCP may not be adhered to by the contractor.

17. Your Petitioner is concerned that there are no strict standards on dust emissions in the COCP

18. Your Petitioner is concerned that the movement of HGVs along local roads will not being kept to the bare minimum. With the numbers quoted by HS2 Ltd, there is concern that the response times from the emergency services to incidents will be extended with a consequential adverse effect on the service that they provide.

19. Your Petitioner is concerned about the disruption of traffic and substantial delays along all local roads, caused by around 300 HGVs per day for HS2 construction works, especially the A413 and the B4009, which your Petitioner uses every day, and the A41, which local people use on a regular basis.

20. In particular your Petitioner is concerned that during the construction phase, the increase in the number of HGVs passing through the "pinch point" in front of the Terrick cottages where the B4009 approaches the A413 at the Terrick roundabout, will cause considerable traffic problems.

21. Your Petitioner is concerned that the influx of construction workers will overload the already oversubscribed Wendover Health Centre and the Accident and Emergency Department of the local hospital.

22. Your Petitioner is concerned about the amount of dust that will be created during the construction phase. This will be a significant problem for Ellesborough because of the large areas requiring earthworks either for engineering or landscaping reasons. Furthermore, there will be large amounts of spoil from the tunnelling operation to be dealt with and the handling of this will create further particulate pollution.

23. Your Petitioner is concerned that because no proper hydrological survey has been carried out, the construction of HS2 is likely to have a detrimental effect on the springs and aquifers that feed water into various springs and streams in the area and in particular the stream that feeds the Tring summit of the Grand Union Canal via the Wendover Arm. The canal already suffers from a shortage of water and if HS2 affects the supply then an alternative method of supplying the summit will have to be found.

Problems caused by the operation of HS2.

24. Your Petitioner avers that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects:

25. Your Petitioner's view of the Vale of Aylesbury would be permanently and detrimentally altered by the railway line and its obtrusive catenary system of supports and cables. This will be made much worse because of the need to use larger supports to span the maintenance loops which will be in full view from Coombe Hill. Moreover, the new bridge necessary to take the line over the B4009 will be very obtrusive when viewed from Coombe Hill. Furthermore, in an area where street lighting is kept to a minimum (Ellesborough has no street lighting) not only will the daylight view be spoiled, but the night view will also be ruined because of light pollution from the maintenance loops.

26. Your Petitioner's enjoyment of the Chiltern Hills will be permanently damaged by noise pollution. With high speed trains passing every 2 to 3 minutes during the day and the track being used by freight trains at night, the noise intrusion will be considerable especially because the parish is a quiet rural one. As such, noise is very apparent especially in the evenings and trains on the existing tracks can easily be heard throughout the parish. The noise from HS2 operations will have a very detrimental effect on parishioners. No longer will their gardens be areas of peace and in the summer with windows open, the night-time noise is likely to cause health problems because of interrupted sleep patterns.

27. Your Petitioner is very concerned that HS2 Ltd and the Department of Transport only say that they "plan to achieve" World Health Organisation targets for noise levels at set distances from the track. This is not acceptable where the permanent noise pollution of Ellesborough Parish is concerned. The targets must be met and plans put in place to ensure that they are.

28. Your Petitioner is concerned about the negative effect that the scheme will have on the area. Property prices have already been affected, and the likely reduction in visitor numbers will have an effect on local shops and businesses. In these times of financial constraint, any alteration to the socio-economic balance of the area may reduce the viability of local shops and businesses to the detriment of the local populace.

29. Your Petitioner is highly concerned about the placement of the Maintenance Loops between Nash Lee and Stoke Mandeville. To cope with the increased width of the line, the gantries supporting the catenary system will have to be much larger and hence more obtrusive. The points will mean an increase in the noise from trains passing over them and the 2 loops will be required to be lit at night, hence considerably increasing the amount of light pollution in the area. Moreover, effectively doubling the width of the line means that more prime agricultural land will be permanently lost. For all of these reasons the Petitioner considers that having these loops in this area is inappropriate. They should be moved to an area where they will be less obtrusive and have a reduced effect on the environment.

30. Your Petitioner is concerned that because there is no plan for a station in the area, the parishioners of Ellesborough will derive no benefit from it. Furthermore, they are being asked to fund something that will cause them serious disruption during the construction phase and then permanently blight their lives during its operation.

Mitigation of the Construction Impacts of HS2

31. With the planned increase in traffic levels, your Petitioner requests that additional funding should be made available to the Thames Valley Police Authority from HS2 Ltd for additional staff to cope with traffic management in the area.

32. Your Petitioner requests that additional funding is made available for both the local GP service at Wendover Health Centre and for Stoke Mandeville Hospital – A&E department to cater for the additional workload that will be necessary due to the construction workforce.

33. Your Petitioner requests that a traffic management plan be drawn up to ensure that the effects of the construction traffic are mitigated. This plan to be agreed between all the affected parties including parish councils and should cover the number of vehicles, operating times and routes.

34. Your Petitioner requests that in order to limit the number of HGVs using local roads, that HS2 be directed to use the Chiltern Railway to transport materials and spoil in and out of the area. In addition, HS2 Ltd should not be allowed to dump spoil in the Chilterns' AONB.

35. Your Petitioner requests that the permitted working hours for all matters relating to construction be strictly limited to 8am to 6pm on weekdays, 8am to 1pm on Saturdays and not at all on Sundays, with an hour before and after for start-up and close down. In the case of tunnelling we accept that there may be a need for longer working hours. However, once work is in progress, the Petitioner requests that the need to minimise noise and disturbance are is fully implemented to the satisfaction of the Parish Council.

36. Your Petitioner requests that no relaxation of noise regulations be allowed and that HS2 be bound by the directives made by Environmental Health Officers.

37. Your Petitioner requests that the use of lighting at construction areas be limited to working hours.

38. Your Petitioner requests that if for whatever reason, the flow of water into the Wendover Arm of the Grand Union Canal is reduced as a result of the construction works, that HS2 be liable for all the costs of any remedial work necessary to ensure the supply of an adequate amount of water to the Tring summit.

Mitigation of the Operation of HS2

39. Your Petitioner considers that the case for the siting of Maintenance Loops between Nash Lee and Stoke Mandeville has not been made. HS2 Ltd, have stated there is a need for loops every 60 Km's. However, HS2 has not produced any justification for this statement. Moreover, by removing the requirement for the loops there is a cost saving of some £10m to be made. Even if HS2 Ltd, can demonstrate a maintenance strategy which calls for

maintenance loops then a saving could still be achieved by locating it at Calvert (27km's away) or Old Oak Common – well within the guidelines they have set.

YOUR PETITIONER therefore 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, Agent and witnesses in support of the allegations of this Petition against such of the clauses and provisions of the Bill as affect the rights and interests of your Petitioner and in support of such other clauses, amendments or provisions as may be necessary or expedient for his protection, or that such other relief may be given to your Petitioner as your Honourable House may deem meet.

AND your Petitioner will ever pray, &c.



R A D Norris
Clerk to Ellesborough Parish Council

Agent for the above-named Petitioner

BACKSHEET:

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Contact Details:

Petitioner:

Ellesborough Parish Council

Agent:

Clerk to Ellesborough Parish Council

Daytime telephone number:

Mobile: