

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS)  
P E T I T I O N

Against – on merits – Praying to be heard in Person, &c.

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

THE HUMBLE PETITION OF DINERMAN COURT LIMITED

SHEWETH as follows:

1. A Bill (hereinafter referred to as “the Bill”) has been introduced into 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 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 Dinerman Court Limited, the residents' management company for Dinerman Court, a residential block of 60 apartments whose directors are all owners of individual units within the building, the rear entrance and car park of which are accessed from Alexandra Place.
8. Dinerman Court is a founder member of SHOUT2, (South Hampstead Opposition to Underground Tunnelling by HS2) a group representing approximately 1,360 units, over 3,000 residents and several businesses from Alexandra Place, Loudoun Road, Dinerman Court, Robert Morton House, Boundary Road Estate, Rowley Way Estate, Ainsworth Way, Mary Green Abbey Road, Abbey Road Estate and Mortimer Crescent. The group was established soon after receiving the initial correspondence from HS2 in November 2013 with a view to raising the concerns of all the communities of the above residential areas which are affected by the planned construction of the Alexandra Place ventilation shaft.
9. Your Petitioners and their interests are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
10. According to the information provided by HS2 during a meeting requested by the group and attended by many residents of the aforementioned blocks in January 2014, the construction period of a ventilation shaft for the railway on Langtry Walk alongside the northern part of Alexandra Place will be more than four years with more than 100 two way heavy vehicle movements per day at peak times resulting in considerable noise, air, surface pollution and environmental damage for the immediate area of the construction. This is of particular concern to elderly residents of which there are many in the blocks directly adjoining Alexandra Place, or those with respiratory or asthma problems. This pollution will also adversely affect the children attending the nursery situated less than 50 meters from, and directly opposite to the construction site.
11. The present plan for the construction of the shaft will entail the complete closure of the northern half of Alexandra Place to residents for the five years of the build phase with all parking facilities presently available for residents rescinded for the period, but with access still allowed for contractors vehicles around all the current one way street. Particular concerns relate to Dial-a-Ride and ambulance access to Robert Morton House, an older people's home on Alexandra Place.
12. The planned road closure and restricted access for the four blocks directly adjoining and with access from Alexandra Place, and the constant heavy vehicle traffic planned will severely affect both property values and re sale potential for all existing owners and owner occupiers in each block affected.
13. During the construction, there will be a subsequent loss of parking facilities for residents living on Alexandra Place with no alternative spaces offered by HS2 and a loss of at least six parking spaces for residents in Dinerman Court Car Park required for HS2 contractor's vehicles, which will also affect values and sale potential of these properties.
14. There will also be a direct effect on local company MGR Weston Kay LLP who as an important part of the local community have over 100 employees onsite and leading to their possible re location outside the borough of Camden before the construction begins, resulting in a loss of rent and rates revenue for the Council with 12,000 square feet of empty and un-rentable office space.

15. The work will result in the loss of 18 independent commercial premises including several small community shops together with the accommodation and workshops above them on Langtry Walk which runs directly alongside the north side of Alexandra Place.
16. There will in addition be a severe impact on access to buildings within the locality and diversions for pedestrians and vehicles. This route forms a key access point from public transport and local shops to the Alexandra and Ainsworth Estate particularly to the South Hampstead Overground station and the only bus route (31) running on Belsize Road to Camden Town. This will affect particularly the elderly people resident in Robert Morton House (sheltered accommodation on Alexandra Place) and school children who use this route as a safe route to school. (George Eliot Primary School and nursery, and Quintin Kynaston Secondary School)
17. There are also serious concerns about the potential impact of the tunnelling and subsequent vibrations of the high speed trains themselves directly beneath the Grade II\* listed structures of the Alexandra and Ainsworth Estate due to the complex and unusual foundation and structural design incorporating 'anti vibration mountings' (acknowledged in HS2 ES Cultural Heritage Baseline Report Vol5 CRA3 para 4.3.5). For any such risks to this or any of the other blocks within the zone laid out in the Bill and to prove any subsequent damage, the HS2 team notified the group during the meeting in January that individual owners themselves would be responsible for obtaining separate surveys before the works commenced and again after completion in order to prove damage resulted from the tunnelling or operation of the railway and that for such surveys, HS2 would not be liable for the cost.
18. Residents have raised serious concerns about the permanent visual impact of the headhouse building, particularly when seen in the context of the Grade II\* listed Alexandra & Ainsworth estate. The Alexandra & Ainsworth estate is specifically listed in Schedule 17 of the Bill.
19. For all the above severe and disruptive effects on residents of the area, no compensation is currently envisioned by HS2 as no buildings are planned for compulsory purchase apart from the shops and units on Langtry Walk, the freehold of which is owned by Camden Council.
20. Your Petitioners recognise that Parliament has decided to proceed with the HS2 railway by giving the Bill a Second Reading but believe that the residents directly affected by the construction of the Alexandra Place ventilation shaft will be injuriously affected by the Bill unless measures are implemented to attempt to minimise the impact on the area concerned. We would therefore respectfully submit that the Bill should be amended or that undertakings should be required of HS2 before work commences as follows.
21. That an alternative site for the Alexandra Place ventilation shaft be considered and that HS2 should consult with the community about alternate sites that they had previously rejected but not identified or explained as promised at the January meeting with the SHOUT2 community.
22. If an alternative site is denied, that the disposal of spoil is made via a temporary rail siding on either the West Coast Main Line, London Midland or Overground rail tracks which directly adjoin the construction site rather than the present plan for removal of the spoil by heavy road vehicles requiring the closure of Alexandra Place.
23. In order to overcome your Petitioner's concerns relating to the closure of Alexandra Place, for essential deliveries of materials required for the site by heavy vehicles or spoil removal if a rail siding option is denied, that Loudoun Road between Fairfax Road roundabout and Alexandra Road be closed to traffic for the duration of the construction in a similar way that Network Rail effected between 2012 and 2013 for their repair of the rail bridge and adjacent area alongside South Hampstead rail station. In so doing,

Alexandra Place would not need to be closed and traffic management of these vehicles could be controlled by HS2 via a queue process along Loudoun Road requiring them to arrive consecutively at a drop off/pick up area directly alongside the construction site rather than directing them to, and holding these vehicles in Alexandra Place. This would greatly reduce the disruption and pollution that will be caused by the planned construction and impose much less impact on residents and businesses alike, therefore providing a much better chance of achieving the support of the community.

24. That HS2 be required to commission and fund structural surveys by independent surveyors for all the blocks mentioned before work commences so that any pre-existing faults are clearly identified and can be compared with any subsequent damage caused after completion of the tunnelling by HS2.
25. That compensation is made available for residents of the four residential blocks which have access from Alexandra Place namely Dinerman Court, Robert Morton House, Alexandra Place North and Alexandra Place South. These residents will be directly affected by the five years of construction resulting in blight, dirt, noise and restricted vehicle access but will not receive compensation by way of compulsory purchase of their properties.
26. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

YOUR PETITIONERS THEREFORE HUMBLY PRAY your honourable House that the Bill may not pass into law as it now stands and that they be heard by themselves, 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

Signed  
Anthony Connor  
Director  
Dinerman Court Limited

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