

High Speed Rail (London – West Midlands) Bill

Against the Bill – on Merits – Praying to be heard by counsel, etc.

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION OF MRS ROSA SUSAN WOOSLEY

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 petitioner (hereinafter referred to as "the Petitioner") lives at 51 Aylesbury Road, Wendover, Bucks HP22 6JG.
6. Your Petitioner has lived in this property in Wendover for 34 years. She is 76 years of age.
7. Your Petitioner's property is shown on map CT-05-038 in ES 3.2.2.10.
8. Your Petitioner and her interests are injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.
9. Your Petitioner has been the recipient of letters and information from HS2 Ltd, which indicate that it considers that her property is affected by the Bill.
10. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken in Wendover. As a resident of Wendover, objection is taken to works proposed to be undertaken in and near Wendover between Little Missenden and Stoke Mandeville including an embankment between Hartley Farm and Road Barn Farm; Small Dean viaduct; a green tunnel under Ellesborough Road; and an embankment between the northern end of the Small Dean viaduct and the southern end of the Wendover green tunnel. They include ancillary works such as satellite compounds, auto-transformer stations, balancing ponds and portal buildings.
11. Your Petitioner's main objectives are
 - a. to persuade your Honourable House to amend the Property Compensation proposals to make full and fair compensation provision to take account of the effect on health and the capacity of local health services, as well as property values, and
 - b. to persuade your Honourable House to lower the line into a fully-bored tunnel as it passes through 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. Reduction in value of your Petitioner's property caused by the frequent movement of construction vehicles along the B4009.
 14. Your Petitioner's home is her greatest asset; she has little other financial resource. The value of her property will reduce significantly, particularly during the construction phase, while heavy construction traffic will pass within a few yards of her front door.

15. Pressure on health services caused by the large influx of construction personnel.
16. Noise and dust caused by HGV's accessing the construction site(s) along the B4009, the site of your Petitioner's property, exacerbating health problems.
17. Disruption of traffic and substantial delays along the approaches to your Petitioner's property during the whole of the construction phase.
18. Irreparable damage to recreational land, including ancient woodland.
19. Irreparable damage, leading to loss, of rural businesses, including to tourism, damaging Wendover as a tourist destination.
20. Displacement of wildlife and destruction of habitats in an Area of Outstanding Natural Beauty, a designation intended to give it statutory protection.
21. Irreparable damage to rivers and streams.
22. Disruption to power supplies caused by the need to move the electricity pylons near the line.
23. All of the above (paras 13-22) will lead to a significant reduction in value of your Petitioner's property, and possible damage to her health, for which there is no provision to compensate her under present proposals.

Mitigation for 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 proposes that the Property compensation provisions should be made more generous in line with the principle that no individual should be disadvantaged financially by the HS2 proposals.
26. Your Petitioner also proposes that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover. This would avoid most of the disadvantages set out in paragraphs 13-22 above.
27. Chiltern Ridges Action Group has proposed such a fully-bored tunnel in a report by Peter Brett Associates, and HS2 Ltd has confirmed that from an engineering and construction point of view it is feasible.

28. HS2 Ltd has said that such a tunnel would cost £330 million more than the present proposal. However, it has refused to divulge any detail of this figure, or even the tender documents on which it was based, and there is considerable evidence that the figure is seriously exaggerated.

29. Moreover, it seems that HS2 Ltd has not taken into account the value of the benefits which a fully-bored tunnel would bring, such as the money saved by not having to compulsorily purchase properties and land, or move electricity pylons, and not damaging the environment. These benefits are valued at over £500 million.

30. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended by

- a. more generous Property Compensation arrangements to include all property owners affected by the proximity of HS2, and
- b. the inclusion of a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover

then the Bill should not be allowed to pass into law.

Improvements to the Property Compensation Package

31. A fair and proportionate compensation scheme should be adopted to reflect the reality of a restrictive situation that property owners now face because of HS2.

32. Based on the principle that no individual should suffer personal financial loss caused by the proposals for HS2, your Petitioner proposes that the compensation scheme be amended to include full and fair compensation to all property owners affected by HS2.

33. Further, the compensation scheme should not be based on an arbitrary distance criterion, but should reflect the real and permanent harm that HS2 will inflict on property values and the ability of property owners, whether owner/occupiers or not, to realise the true value of their property in the event of needing to sell.

34. The compensation should provide for the full pre-HS2 announcement value of the property, plus an increment to allow for the increase in property values generally since the initial announcement.

Mitigation for construction of a fully-bored tunnel

35. If a fully-bored tunnel is included in the Bill, your Petitioner proposes that appropriate mitigation measures, as set out in the Petition submitted by Wendover HS2 and others, should

be legally enforceable to reduce the damaging impact on residents throughout Wendover and its surrounding communities.

Mitigation for construction of the present proposal

36. However, if the proposal for a fully-bored tunnel is rejected your Petitioner proposes the following mitigation:-

37. Based on the principle that no individual should suffer personal financial loss caused by the proposals for HS2, your Petitioner proposes that the compensation scheme be amended to include full and fair compensation to all property owners affected by proximity to HS2 and should not be restricted to owner-occupiers or by an arbitrary distance criterion.

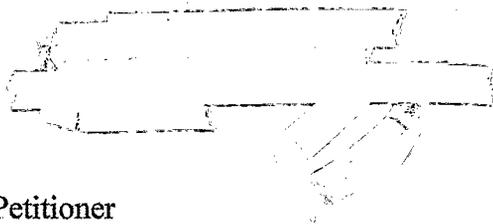
38. The compensation should provide for the full pre-HS2 announcement value of the property, plus an increment to allow for the increase in property values generally since the initial announcement.

39. The existing proposed green tunnel should be extended to the south and north of Wendover.

40. That the mitigation as set out in paragraph 29 above be adopted.

YOUR PETITIONER therefore prays your Honourable House that the Bill may not be allowed to pass into law as it now stands and that she 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 her 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, etc.



Petitioner

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF Mrs Rosa Susan Woosley, 51
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