

**IN PARLIAMENT**

**HOUSE OF COMMONS**

**SESSION 2013–14**

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

**PETITION**

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 JULIA ALLSOPP AND WAYNE BULL

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 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 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 Julia Allsopp and Wayne Bull, we live at Holly Cottage, Common Lane, Riley Hill, Lichfield, Staffs, WS138HR. Which now comprises of a residential dwelling, land of one acre and a commercial property. We have lived here for 9 years, the house is a family home which was previously owned by Julia's great aunt since the 1980's and it is very much hoped to keep the house in the family for generations to come. During 2004 and 2005 Wayne made extensive renovations and extensions to the property which were funded by Your Petitioners to make the cottage into their dream home. Wayne is a self employed builder running his business from the property, using the land to store plant machinery and equipment. The two access points to and from the land are essential for this. During 2011 Wayne also built a cattery on the land and in 2012 Julia left her full time employment to set up her own

business from the home address in the new building trading as Bromley Hayes Cattery. Both businesses are very successful. Access to and from the property is obviously essential for the cattery business also. The quiet and peaceful surroundings of the property are essential to the success of the cattery. Your Petitioners property, business and outbuildings will not be demolished as a result of the building of High Speed 2 but it is located within 200 metres of the line (the Manchester Spur) and within 500 metres of the line to Hanch (phase 1). Your Petitioners property and businesses are also on a residential road which will be used by construction traffic during the construction of the scheme. There is also an indication on the Environmental Statement Map that Common Lane would be widened, taking part of Your Petitioners land and taking away the gated access on the corner of Your Petitioners property. This has not yet been consulted on but is proposed by HS2 Ltd during Phase 1.

8. Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
  
9. a) Your Petitioners have concerns for the proposed use of Common Lane for HS2 HGV lorries and machinery to access onto a private driveway/track leading to a property known as Wood End Common Barn Farm and Wood End Long Barn. This would cause major disruption, permanent blight and safety issues to them and residents and occupiers of Common Lane Farm, Barn Farm, Rose Cottage, Common Farm, Pool Farm, Bromley Hayes Garden Centre, Riley Hill Farm House, The Oaks and Bromley Hayes Cattery. The result of this would mean customers to the cattery decreasing because of noise, dust, vibration and inconvenience, greatly threatening the business and even potential closure of the business as cats would be consistently scared. There is also an indication on the Environmental Statement Map that Common Lane would be widened, taking part of Your Petitioners land and taking away the gated access on the corner of the land to Your Petitioners property. This has not been consulted on and in fact HS2 Ltd employees have failed to confirm or deny this even though Your Petitioners have tried to contact them by email, phone and in person on numerous occasions. In one instance at the Lichfield Roadshow, Daisy Benson even refused to speak to Your Petitioners about this. Construction Phase Map CT- 05 - 128 - R1 refers.

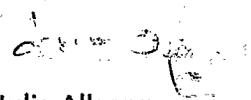
- b) Your Petitioners object to the proposal to use the private driveway/track giving access to Wood End Common Barn Farm and Wood End Long Barn as a permanent maintenance route on the grounds of permanent blight, security, health and safety. Because maintenance is going to be carried out during unsociable hours. This would also cause major problems to the business as this would again scare the cats, leading to potential closure of the cattery through lack of business. Proposed scheme Map CT - 06 - 128 - R1 refers.
- c) Your Petitioners are concerned that rights of entry and authorisations to enter land for surveying purposes goes beyond the rights that are reasonable necessary. Your Petitioners note that these clauses are primarily designed for preparatory work to be undertaken on Phase 2 of HS2. Your petitioners submit that the powers in the Hybrid Bill are too broad and should be subject to independent oversight.
- d) Your Petitioners submit that the compensation provisions in relation to property that is not compulsory acquired and other matters would not be sufficient to compensate your Petitioners adequately for the loss and damage they incur as a result of the plan for Phase 1.
- e) Your Petitioners and their neighbours are in the unique position where they are affected by both Phase 1 and Phase 2. Your Petitioners have concerns regarding the timing of the construction of Phase 2. It has been suggested that "the spur" will be constructed at the same time as Phase 1, potentially as far as Shaw Lane. If this is the case then Your Petitioners have concerns that firstly this has not been consulted on yet and secondly regarding the crossing of and closing of Common Lane which would cause Your Petitioners, their neighbours and the village of Kings Bromley considerable inconvenience and major issues regarding health and safety. This would be due to large vehicles having to use Crawley Lane right past an infant school instead of Common Lane. This would also cause Your Petitioners major blight personally and for the business as detailed in points a and b above.
- f) Your Petitioners have concerns regarding the use of Common Lane for a maintenance route for Phase 2. This point is linked with point e as above.
10. a) Your Petitioners would suggest that access to works over the Trent and Mersey canal can be obtained via a bailey bridge erected from the Willow Cottage, Lock cottage side of the canal. The use of cranes and concreting pumps could be utilised for the works to be carried out on Wood End Common Barn Farm and Wood End Long Barn side of the canal. This would alleviate the need for HS2 to have access along Common Lane and the private driveway/track to Wood End Common Barn Farm and Wood End Long Barn.

- b) Your Petitioners would suggest that maintenance access for HS2 works appertaining to Phase 1 could be achieved at the Willow Cottage, Lock Cottage side of the Trent and Mersey Canal.
  - c) Your Petitioners request that Clauses 51 and 52 should be amended so that land can only be accessed with the landowner's and occupier's consent.
  - d) Your Petitioners request that the Bill should be amended to ensure Your Petitioners and other persons who are injuriously affected and adversely affected by loss of value should be entitled to claim compensation for the full amount of loss incurred due to HS2. Also that an undertaking be made so that compensation can be sought for loss of business and inconvenience to all those affected by the construction of HS2 irrelevant of their land being within the safeguarded area or not of the line.
  - e) Your Petitioners request that Common Lane is not closed and that instead a bridge be constructed under the rail line large enough for the farm vehicles that currently use the road.
  - f) Your Petitioners request that Common Lane is not used as any type of construction route or maintenance route, either temporary or permanent and that the existing A515 is used instead.
11. Your Petitioners support all points raised and mitigation proposals in the Kings Bromley Stop HS2 Action Group petition.
12. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, 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.

Signed



Julia Allsopp



Wayne Bull

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