

**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 ROY KEITH FREEMAN and LESLEY GERALDINE FREEMAN

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 Mr R K Freeman and Mrs L G Freeman are the freehold owner-occupiers of the property known as Ashton Hayes Barn, Tuppenhurst Lane, Handsacre, Rugeley, Staffordshire, WS15 4HN which is a 300 year old barn which was converted for residential use in 2007. The relevant property can be found in the Book of Reference, plan number 3-84.

Your petitioner Mrs LG Freeman has recently retired from her job as a college lecturer and your petitioner Mr RK Freeman is planning to retire within the next 2 years. The works proposed for authorisation by the bill will have a significant detrimental effect on the petitioner's lives and future retirement. The petitioner's property will not be demolished as a result of the bill, however it is located within 10 metres of the proposed completed line. The construction footprint closely follows the boundary fence of the property.

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. The link between HS2 and the West Coast Main Line has been moved north by 200 metres following the amendments made to the route at Fradley Park. The impact of this is that the realignment of the proposed line will totally destroy a large woodland area being the current outlook from the petitioner's garden. This will be replaced by the new HS2 line, including enormous gantries elevated at an approximate height of 20 metres as it joins the WCML, immediately to the rear of the barn and neighbouring Farmhouse. Additionally 2 tracks of the WCML are being diverted into the field adjacent to the petitioner's property to facilitate the HS2 junction.  
The Bill includes powers for the Secretary of State and the nominated undertaker to commence and carry out continued construction works for a period of time estimated to be 10 years. These proposed works will cause unwarranted intrusion on privacy and the right to enjoy life and property, not only for the duration of construction but also once the railway is operational as it will create an intolerable environment whereby it is impossible to live within the immediate close proximity of the new railway.

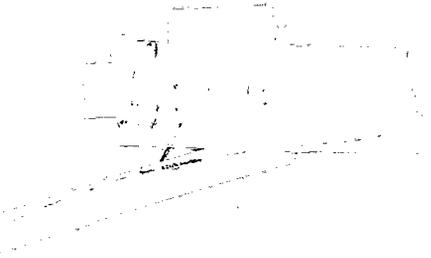
The ongoing disruption to everyday life will also inevitably result in impairment of health due to continual construction work and associated heavy goods traffic resulting in poor air quality caused by dust. This will severely exacerbate the asthmatic and bronchial conditions already suffered by Mrs LG Freeman. In addition to this the continual noise will aggravate the Tinnitus condition suffered by the petitioner, Mrs LG Freeman and disruption will inevitably result in loss of sleep culminating in increased anxiety and stress for both of the petitioners.

10. The petitioners would respectfully ask that if Parliament decides to progress with the construction of HS2 they should reconsider the position of our property and the neighbouring farmhouse. Due to the extent of the proposed major engineering and construction works occurring directly on the boundaries of both the barn and the original farmhouse, which are properties of extremely old construction, it will be untenable for anyone to live in either of the properties concerned. In addition the main route of access into the properties will be permanently severed by the construction work, resulting in a one and a half to two mile diversion to gain access to the property for at least the duration of the building works. Therefore the petitioners request that the properties are deemed as uninhabitable.
11. 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.
12. 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.

will ever pray, &c.

Signed Roy Keith Freeman.

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Signed Leslev Geraldine Freeman

A very faint, handwritten signature of Leslev Geraldine Freeman, which is difficult to discern against the white background of the document.

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PETITION

OF

**ROY KEITH FREEMAN** and **LESLEY GERALDINE FREEMAN**

AGAINST,

BY COUNSEL, & c.

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