

**0788**

**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 THE TREE HOUSE OF WATER ORTON LTD

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 a children's nursery setting operating as a non profit, limited company by guarantee for the benefit of the local community. The setting offers affordable and flexible childcare to the local and surrounding community for children aged 2 to 11 years old. The Tree House Pre School and Out of Hours club operates from Water Orton Primary School and has done for 11 years. Water Orton Primary School, Attleboro lane, Water Orton Birmingham, B46 1SB. The Tree House employs 22 members of staff and has 168 children in total that attend the setting. Your petitioners property will not be demolished as a result of the bill but it is located within ????? metres of the line, or construction footprint. Your petitioners property is also on a residential road which will be used by construction traffic during the construction scheme. The Petitioners will loose access to the outdoor playing fields for the children that attend the nursery. The petitioners will be affected by the noise and dust generated by the construction and the noise generated by the operation of the HS2.
8. Your Petitioners and their [rights, interests and/or property] are injuriously affected by the Bill, to which your Petitioner(s) object for reasons amongst others, hereinafter appearing.
9. The Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to take 10 years to complete and will

include lorry movements, the creation of dust and noise, poor air quality, and 24 hour working. This will inevitably lead to severe sleep deprivation for children that attend the property and will affect several children that attend that have asthma and respiratory problems.

Construction traffic will increase our parking traffic issues that we currently already have. Children will be at risk at the beginning and end of sessions when leaving or entering the premises.

Noise and dust generated by the construction will stop the petitioner using outdoor play space for children to enjoy as part of their curriculum.

Landscape and visual effects will hugely impact the petitioners as the outdoor play area would become a construction site and children wouldn't have a safe, enjoyable place to play and explore their natural world.

10. Your Petitioners object to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submit that the Bill should be amended or undertakings should be required so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works by considering their cumulative impacts on communities. And they need to suggest necessary changes from the results of that review before works design and construction strategies have been finalised or construction contractors employed.

The petitioner supports the proposed new building of a school and would request that the nursery was included in the structure.

If a new school is not allowed an upgrade of the existing school building during the building of the HS2. The school is an old building with old windows.

Additional noise mitigation – windows/ doors

The Treehouse of Water Orton is a valued part of our community we have looked after families of children, we are the only early years provider in the village and are well known and used by many. We are concerned about how the HS2 will affect our business and the local environment.

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.

AND your Petitioners will ever pray, &c.

Signed



Claire Essex

Carole Burt



On behalf of

The Tree House of Water Orton

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PETITION OF THE TREEHOUSE OF WATER ORTON

Against the Bill – On Merits – By Counsel &c

Claire Essex

The Tree House, Water Orton Primary School

Attleboro Lane

Birmingham

B46 1SB

[Redacted]

[Redacted]