

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

Against - on Merits - 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 Water Orton Parish Council

SHEWETH as follows:-

1 A Bill (hereinafter referred to as "the bill") has been introduced and is now pending in your honourable House intituled "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, 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. The works proposed to be authorised by the Bill are specified in Schedule 1 to the Bill and their construction and the associated granting and extinguishment of rights and compulsory acquisition of land is authorised (inter alia) by Section 1 of the Bill.

4. Your petitioners are:

The Water Orton Parish Council authorised to oppose the Bill by a resolution of the Parish Council dated 30th April 2014 following compliance with Section 239 of the Local Government Act 1972; and

And the expression "your Petitioners" refers to the Water Orton Parish Council

5. The Bill would authorise the construction and operation of the resulting railway system and its associated development through and in the vicinity of Water Orton. Your petitioners object to the same as outlined in clause 6 below.

6.1 Proposals and Plans for mitigation of the effects of the said construction and operation were given by the Water Orton Stop Hs2 Action Group to Professor McNaughton (the then Chief Engineer of HS2 Limited) ("HS2") at a meeting in London on 11th January 2011, asking for technical review of your Petitioners' proposals from HS2's engineering team. They represented measures your Petitioners envisaged to prevent, reduce and where possible offset any significant adverse effects from the project, as required by the EC Directives.

6.2 The Action Group had an e-mailed written response from HS2, stating that the proposed mitigation was exactly the quality of idea they hoped to see and that unless we heard directly from Professor McNaughton then we could assume that our ideas were possible from an engineering viewpoint. Your Petitioners were very surprised, therefore, when no further discussion of the proposals took place with them despite their repeated requests to HS2 to that effect and that, subsequently, none of their proposals were reflected in the design now proposed to be implemented by this Bill.

6.3 By reason of the lack of substantive reply to their many requests for a response to their proposals, the Action Group finally submitted a request for information under the Freedom of Information Act on 23rd Jan & 12th March 2014. On 31st March 2014 the Action Group received a written response which can best be summarised by saying that it asserted that the proposals were too costly, but without giving information that could be verified. A subsequent response from HS2 Ltd stated that they did not have the information to provide a breakdown of the costs and could not explain why the alternative route was more expensive than the proposed routing. In view of the failure to engage with your Petitioners over the last 3 years in an attempt to find workable mitigation methods, HS2 has placed your Petitioners and, we would respectfully suggest Parliament itself, in an invidious position because for there now to be proper consideration of mitigation will inevitably cause significant delay and extra cost.

6.4 Your Petitioners aver that the main cause for concern is the proximity of the North Chord of the Delta junction to the Water Orton Primary school. The line will be only 150mts from the school playing fields and during construction HS2 Ltd will need to take the actual school playing fields for construction purposes.

The affects on the school children and staff will be devastating, affecting the learning ability, due to the noise and pollution during construction and later the noise of the trains, during the operation of the railway.

Further, your Petitioners fear that the line could cause a major incident in the event of an accident or derailment as it is possible that the carriages could concertina and crash into the school building or schoolchildren on in the playground or on the playing fields. The line is too close to the school and needs to be moved.

The solution to this problem is for the line to be moved and your Petitioners would like the Select Committee to instruct HS2 Ltd to build the line in accordance with the Water Orton Action group's mitigation proposals as submitted in January 2011

The Village of Water Orton is uniquely badly affected by the HS2 proposal as we have not only the main line (4 track working) but also the Delta Junction Chords running very close to the village and the "Y" junction just to the North of the Village at Hams Hall. These railway lines surrounding the village and in very close proximity, prompted the Action Group to design alternative routes for the various tracks to mitigate the effects of the HS2 proposal upon the village but especially the local primary school.

The mitigation proposals formulated by the Water Orton Action Group are in three parts

and any of the following solutions would considerably reduce the impact on the village but especially Water Orton Primary School:

1/ To reroute the North Chord of the Delta Junction to the North of the village over the old sewage farm, and link the line into the Y junction. This means that the line would be built over a "Brownfield" site and not over "Greenbelt" as currently proposed and it would move the line away from the school. The Southbound Chord of the Delta junction could then be kept as low as possible, as the proposals obviates the need for a graded junction behind the school and with screening such as bunds and tree planting the noise and visual impact on the school children and staff could be very considerably reduced.

The advantages of this mitigated proposal is faster journey times from Birmingham to Manchester & Leeds but was rejected on cost. However the Action Group distrust the costings provided by HS2 Ltd and when pressed under Freedom of Information Requests HS2 Ltd was unable to provide a breakdown of the actual costs of building this line.

Your Petitioners believe that the extra cost of building the line to the North of Water Orton will be not substantially above that which is proposed by HS2 Ltd and we know it is possible from an engineering viewpoint.

2/ The second proposal is for the Delta Junction and Y junction to be combined into one Grand Junction to the North of Water Orton. This would have the advantage of all construction taking place well away from the school. It would also move the lines away from the school. It may also mean that the Water Orton Rugby club may not need to be demolished, as currently proposed, thus saving the costs of relocation and construction of a new Rugby Club elsewhere in the village and it would definitely save the demolition of houses in Attleboro Lane along with the rerouting and extra costs of a bridge in Attleboro Lane. Overall this is the best possible outcome for mitigating the effects of HS2 for Water Orton.

3. The third proposal would be to route the North Chord of the Delta junction along the existing Birmingham to Derby/Nottingham railway line which splits at Water Orton Station (one line going to Leicester and the other to Derby) with the line passing under the A446 and the Motorway. The Derby/Nottingham line could be utilised for HS2 traffic and re-routed to join the main line of HS2 close to the Y Junction.

Existing trains going to Derby & Nottingham from Birmingham New Street would be diverted via Coleshill Station and up the loop line at the back of Whitacre Heath to re-join the existing track northbound. This would save money as the costs of building a bridge over the A446 and the M42 would not be needed.

Maps and drawings have been provided to show the proposals in appendix (1)

6.5 Your petitioners aver that the construction traffic routes through the village of Water Orton will cause major problems for the residents.

In the Environmental Statement Map, Volume 2 for CFA19 Coleshill Junction maps CT-05-136a and map CT-05-135a show that under construction, Heavy Goods Vehicles will travel along the B4118 (The main Road through Water Orton) from the A446 along Watton Lane then right through the centre of the village along New Road past the shops then along the Birmingham Road.

At the Bi-lateral meetings, with HS2 Ltd, the Action Group was promised that a haul road would be built immediately after the M42 Motorway under-bridge at Watton lane which would run close to the M42 and M42/M6 link. This would keep the construction traffic off the local roads in the village as much as is practically possible.

Your Petitioners would like the Select Committee to instruct HS2 Ltd to remove the construction routes shown on the above maps from the Environmental statement and ensure that a haul road is built alongside the motorways thus preventing construction traffic from passing through the village. We would also like signs placed on the B4118 just after the under-bridge at Watton lane and on the M6 over-bridge on the B4118 on the Birmingham Road that states that "no construction traffic can pass beyond this point."

Your Petitioners would also like the Select Committee to consider part 2 of the mitigation proposals outlined in 6.5 above. If these proposals were implemented then it would completely remove the need for construction vehicles to pass through Water Orton, save our school and remove the need for the demolition of houses in Attleboro Lane and the Rugby Club.

6.6 Your Petitioners aver that the lack of noise contours on Map SV-05-055 will have a detrimental effect on compensation claims in future years when considering noise. The map shows no noise whatsoever will be generated towards Water Orton from the North Chord of the Delta Junction. We find this to be unreasonable as this section of track is on a very high embankment and at maximum curvature possibly causing squealing from the metal wheels as well as the sound of the train.

Your petitioners would like the Select Committee to instruct HS2 Ltd to estimate the noise transmitted towards Water Orton and place the noise contours into the environmental statement.

Your petitioners would also like the select Committee to consider that if the Water Orton action Groups Mitigation proposals outlined in 6.4 above were implemented this problem would not arise and we would ask that they instruct HS2 Ltd to implement one of these proposals.

7 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, clause 1 and Schedules 1 and 5, so far affecting your Petitioners, should not be allowed to pass into law.

8 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 in some instances their 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 Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

[Signature of Petitioner in person, or Agent for the Petitioner]



IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

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PETITION OF THE

Water Orton Parish Council

AGAINST, By Counsel, &c.

[Name, address and telephone number(s) of Agent for the Petitioner, or of the Petitioner in Person]

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Acting as agent for the Water Orton Parish Council.