

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 Josephine Hollis

And Paul Hollis

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 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. The perimeter of our land is approximately 300 metres from the track of the proposed railway and 370 metres from the proposed realignment of the trunk road A4091

Your petitioners are at a time of life when they had hoped to enjoy a quiet retirement in their home.

Your Petitioners and their interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, herein after appearing.

8. The proposals in the Bill provide for major engineering operations in close proximity to our property. In particular the A4091 is to be diverted to run much closer to our property and the fact that it is to be elevated over the proposed railway will greatly increase the level of traffic noise and visual intrusion .

9.

10. The construction phase itself will cause considerable disruption for a minimum of three years, with up to 50 heavy goods vehicle movements each day

As a result of the proposals in the Bill, your petitioners have already suffered significantly as a result of the devaluation of their property and have also suffered worry and concern as a result of the potential impact of the proposals. When construction starts your petitioners will suffer prolonged and high levels of disturbance as a result of:

1 The construction of the railway itself.

2 The construction of the substantial A4091 over bridge which is 1200 metres in length

3 The consequent changes to the local road network, in particular the diversion of Crowberry Lane and Park lane and the realignment of Brick Kiln Lane

Once construction has been completed and the railway is in operation, your petitioners will suffer permanent disruption to their lives as a result of

1 When completed there will be high levels of train noise

2 Substantially increased traffic noise from the A4091

3 Loss of visual amenity as the A4091 over bridge will be clearly visible from our property

4 Increased air pollution as a result of this heavily used route being in closer proximity to our property.

5 The proposed diversion of F.P.T17 will result in lengthy detour for users and increased danger, as they will be required to use and cross heavily trafficked routes. Your petitioners object most strongly to the proposed diversion.

11. 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.

12. Your petitioners request that the Bill be amended to move the horizontal alignment of the proposed railway (and associated Church Lane and A 4091 Overbridges) approximately 100 metres further to the east (this follows the proposal put forward by the Middleton HS2 Action Group in 2011 and recently rejected by HS2Ltd.. apparently on engineering costs alone). Together with improved mitigation measures , this would have the effect of significantly reducing the adverse impact on your Petitioner`s property and farm land
13. In terms of the proposed Overbridge, no provision is presently made for mitigating the effects of the additional noise and visual intrusion that this will give rise to. Your Petitioners firstly request that the alignment of the railway be moved eastward as set out in the paragraph above. Additionally(and if this is not acceded to) Your Petitioners request that appropriate sound barriers be installed on the proposed road diversion in order to screen traffic and reduce noise levels.
14. Further, your Petitioners request that earth embankments be provided on both sides of the road together with semi-mature coniferous and indigenous deciduous trees planted.

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 Petitioner(s) 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(s) in the premises as your Honourable House shall deem meet.

AND your Petitioner(s) will ever pray, &c.

Signed

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