

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

High Speed Rail (London – West Midlands) Bill

Against the Bill – on Merits – Praying to be heard by counsel, etc.

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION OF Martin Bertram Chambers and Jane Alison Chambers

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 Secretary Patrick 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, 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 compulsory acquisition, the extinction and exclusion of rights over land, the temporary possession and use of land, planning permission and deregulation in connection with, inter alia, heritage and environmental matters. Clauses 37 to 52 deal with railway matters, nominated and statutory undertakers, regeneration and reinstatement and further high speed rail works. Clauses 53 to 65 contain miscellaneous and general provisions.
4. The nominated undertaker (defined in the Bill and hereinafter referred to as “the nominated undertaker”) is authorised by the Bill to construct and maintain the works specified in Schedule 1 to the Bill being works for the construction of Phase One of High Speed 2 and works consequent on or incidental to such works. These works are called “the scheduled works”.

5. Your Petitioners (hereinafter referred to as “the Petitioners”) live at Halefield, Hale Lane, Wendover, Bucks, HP22 6NQ. They and their family have lived in this property for 22 years. They are 65 and 61 years of age respectively. The Bill would authorise the construction and operation of the railway through and near Wendover. The proposed line would run within 560 metres of your Petitioner’s property.

6. Your Petitioners and their interests are directly and injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

7. Your Petitioners’ property is shown on map C252-ETM-EV-MAP-020-000501-P01 of HS2 Ltd’s Environmental Statement.

8. Your Petitioners have been the recipients of letters and information in the post from HS2 Ltd which indicate that it considers that they are affected by the Bill.

9. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken in and near Wendover between Little Missenden and Stoke Mandeville. These works consist mainly of an embankment between Hartley Farm and Road Barn Farm; Small Dean viaduct; and an embankment between the northern end of the Small Dean viaduct and the southern end of the Wendover green tunnel. They include ancillary works such as satellite compounds, auto-transformer stations, balancing ponds and portal buildings. Your Petitioners’ principal objection is to the grotesquely unsightly Small Dean viaduct, not least because a totally suitable, economically viable alternative of a fully-bored tunnel has so far been ignored by the Government and the nominated undertaker.

10. Your Petitioners’ main objective is to persuade your Honourable House to lower the line into a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover.

Problems caused by the construction process of the scheduled works

11. Your Petitioners aver that during construction of the scheduled works there would be the following effects:

12. Disruption of traffic and substantial delays along all local roads, caused by around 300 HGVs per day, especially the A413 and the B4009, which your Petitioners use every day, and the A41, which they use on a regular basis.

13. A serious strain on local community services such as the Wendover Health Centre, to which your Petitioners and their family are regular visitors, and the police, caused by an influx of construction workers.

14. Dust caused by chalk and soil from construction and excavation. As storage chalk dries out, creating dust, the effect of which will be made worse by the prevailing south-west wind, which blows directly onto your Petitioners’ property Halefield.

15. Substantial and permanent irretrievable damage to this part of the Chilterns Area of Outstanding Natural Beauty (AONB) with its exceptional natural beauty. It is hard to understand how the Government and the nominated undertaker, HS2 Ltd, could have such crass disregard and lack of care and sympathy for the beautiful natural landscape of the Chiltern Hills as to propose the current surface route for the railway and not choose instead the alternative of a fully-bored tunnel.

16. Substantial damage to the local cultural heritage, including the ancient St Mary's Church, which your Petitioners and their family attend for weekly church services and have done so since moving to Wendover 22 years ago, and which they also visit regularly for concerts and other cultural occasions. With HS2 trains passing at such regular intervals it would be impossible to hear and be heard in the church. The proposed viaducts only have sound-absorbent fences on the east side, i.e. away from the Church. The noise from the Small Dean viaduct will echo off the hills and all round the round the valley, resulting in both a loss of amenity for local residents as well as intolerable noise for those attending the church. It is inconceivable that the Government could let the current plans for HS2 proceed which would for practical purposes destroy the life of the church.

17. Noise from machines digging the green tunnel, moving spoil, constructing embankments and viaducts and traffic connected therewith.

Problems caused by the operation of HS2

18. Your Petitioners aver that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects:

19. Your Petitioners' view of the Chiltern Hills in the AONB would be permanently scarred by the obtrusively high viaduct, embankment and gantries. The line would be visible from numerous viewpoints in the locality including their own property. It would be overpowering and dominant in the landscape and would loom across what is a stunningly beautiful valley like an obtrusive white scar linking the two sides of the valley from one ridge to the next. Only a philistine could allow this quintessential part of Britain's country heritage to be desecrated in this stubbornly blinkered way.

20. Your Petitioners' view of the Chiltern Hills would also be permanently damaged by trains up to 400 metres long passing every two minutes. Why should anyone living within sight and hearing distance of the trains have to tolerate such thoughtless, inconsiderate development when the reasonable alternative of a fully-bored tunnel is available?

21. The noise from these trains would cause an intolerable strain upon your Petitioners' life and affect their sleep. The Petitioners' property is shown on HS2 Ltd's Operational Sound Contour Map SV-01-19 as being affected by the noise from the operation of the trains on the railway. At the distance from the line where they live the noise would be spread over a

longer time period, and thus be heard for approximately one minute in two. This is in an area which is at present one of peaceful tranquillity.

22. The value of your Petitioners' house has already been adversely affected, and will continue to be so on a permanent basis.

23. The damage to local facilities would be substantial, both those of value to your Petitioners such as St Mary's Church for its religious and community uses, and those of value to Wendover as a community such as the cricket ground, which would be destroyed. Petitioner Martin Chambers, having played cricket regularly in the past for Wendover Cricket Club, feels strongly that a full-bored tunnel is the only way to provide proper protection and long-term security for the club, as well as for St Mary's Church.

The benefits of a fully-bored tunnel

24. Your Petitioners propose that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover. This would avoid most of the disadvantages set out in paragraphs 11-17 above and all the disadvantages set out in paragraphs 19-23 above.

25. Chiltern Ridges Action Group has proposed such a fully-bored tunnel in a report by Peter Brett Associates, and HS2 Ltd has confirmed that from an engineering and construction point of view it is feasible.

26. HS2 Ltd has said that such a tunnel would cost £330 million more than the present proposal. However, it has refused to divulge any detail of this figure, or even the tender documents on which it was based, and there is considerable evidence that the figure is seriously exaggerated.

27. Moreover, it seems that HS2 Ltd has not taken into account the value of the benefits which a fully-bored tunnel would bring, such as the money saved by not having to compulsorily purchase properties and land, or move electricity pylons, and not damaging the environment. These benefits are valued at over £500 million.

28. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended by the inclusion of a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover, then the Bill should not be allowed to pass into law.

Mitigation for construction of a fully-bored tunnel

29. If a fully-bored tunnel is included in the Bill, your Petitioners propose that at least the following mitigation be adopted for its construction:

30. That the operation of construction traffic on the A413 and the B4009 only be permitted during the agreed working hours, excluding rush hour (7-9am and 5-7pm) on weekdays.
31. That the number of construction vehicles using local roads be limited, and at all times be such as not to inconvenience other road users.
32. That the removed spoil should not be permitted to be dumped in the Chilterns AONB, and that all spoil should be removed by rail, not road.
33. That a traffic management plan be agreed before construction starts with the local county, district and parish councils, such plan to go to arbitration if agreement cannot be reached.
34. That the permitted working hours for all matters relating to construction be strictly limited to 8am to 6pm on weekdays, 8am to 1pm on Saturdays and not at all on Sundays, with an hour before and after for start-up and close down.
35. That acceptable noise levels be agreed before construction starts with the local county, district and parish councils, such noise levels to go to arbitration if agreement cannot be reached.
36. That noise levels be monitored on a frequent and regular basis by an independent organisation, with the result of such monitoring to be immediately made public.
37. That artificial lighting at construction areas be limited to working hours.
38. That the maximum level of toxic traffic emissions from construction traffic be agreed before construction starts with the local county, district and parish councils, such emission level to go to arbitration if agreement cannot be reached.
39. That funding be made available to Wendover Health Centre and local hospitals for the provision of any necessary additional facilities to cope with increased health problems, such as sleep disturbance, respiratory illness and hypertension, and including those caused by traffic emissions and dust created by the construction of the scheduled works.
40. That funding be made available to the local police force for increased staffing likely to be required due to the advent of a substantial construction workforce.
41. That full compensation for damage to property or loss in property value caused by construction of the scheduled works be available to all those who suffer such loss. The compensation proposals made so far by HS2 Ltd are insultingly inadequate.

42. That the maintenance loop at present proposed to be located to the north of Wendover be moved to an area where there are much larger permanent works scheduled.

43. That the Code of Construction Practice, and regulations and agreements dealing with all the above matters in paragraphs 33 to 43, be legally enforceable both at criminal and civil law, with civil law breaches being first dealt with by an Ombudsman, and the local county council having the right to bring both criminal and civil proceedings.

Mitigation for construction of the present proposal

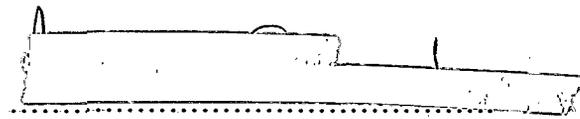
44. However, if the proposal for a fully-bored tunnel is rejected your Petitioners propose the following mitigation:-

45. That the existing proposed green tunnel be extended at least as far as Hartley Farm to the south and to the north of Wendover.

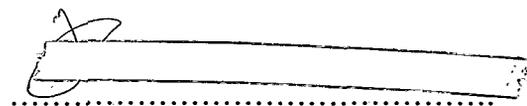
46. That the mitigation proposed in paragraphs 30 to 43 above be adopted.

YOUR PETITIONERS therefore 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 Counsel, Agent and witnesses in support of the allegations of this Petition against such of the clauses and provisions of the Bill as affect the rights and interests of your Petitioners and in support of such other clauses, amendments or 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 may deem meet.

AND your Petitioners will ever pray, etc.



Martin Bertram Chambers



Jane Alison Chambers

BACKSHEET

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HIGH SPEED RAIL (LONDON TO WEST MIDLANDS) BILL
PETITION OF MARTIN BERTRAM CHAMBERS AND JANE ALISON CHAMBERS

Against the Bill – on merits – by Counsel, etc.

Contact details: Martin Chambers

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