

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL  
PETITION

Against the Bill – Praying to be heard by counsel, &c.

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TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND  
NORTHERN IRELAND IN PARLIAMENT ASSEMBLED.

THE HUMBLE PETITION OF MR & MRS RICHARD CHADWICK

SHEWETH as follows:

1. A Bill (hereinafter called “the Bill”) has been introduced into 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. 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.

3. Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.
4. 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.
5. The works proposed to be authorised by the Bill ("the Authorised Works") are specified in clauses 1 and 2 of and Schedule 1 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 the Bill.
6. Your petitioners are the freeholders of Dragonflies, Waste Lane, Balsall Common, Coventry, CV7 7GF which is a residential property in the West Midlands and is shown on Plan Numbers: 2-114 and 2-116 as Property Number 32. Your petitioners live at Dragonflies with our children, Callum aged 4 and Isla aged 2. Your petitioner's property is approximately 200 metres from the proposed HS2 track and will not be demolished as a result of the Bill. Your petitioner's property is on a country road which will be used by construction traffic during the construction of the scheme and the field directly adjacent to the property has been designated as a construction compound to be used for 5 years during the construction phase. All of which will cause a certain amount of distress during the construction phase of HS2. It is also worth noting that your petitioner's property has changed since your maps were produced with the front elevation being nearer the road and the garage is now at the side of the house not behind as the HS2 plans show.
7. Your petitioners would like to make it clear that we are not against HS2 in principle and are not even against the use of the adjacent field for construction site purposes during the construction phase.

8. Your petitioners and their interests and property are injuriously affected by the Bill, to which your petitioners object for reasons amongst others, hereinafter appearing.
  
9. It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of your Petitioners and in accordance with the standing orders of your honourable House notice has been served on your Petitioners of the intention to possibly seek such compulsory powers. It is proposed that a substantial strip of land across the whole road frontage of your petitioner's property is taken to provide space for a new public right of way for pedestrians and horses (hereinafter call 'the greenway') and also to install new utility pipes and cables. This will amongst other reasons mean that your petitioner's property will be seriously devalued as a result the proposed works and also means that your petitioners and their family will experience a reduced amount of privacy and security, which are the main reasons your petitioners chose Dragonflies to raise their family and become their family home. It will also mean that all access to your petitioner's property (including vehicular) will have to be over the proposed greenway which will amongst other reasons become a serious safety risk to the public using the right of way and to your petitioners turning off the road to cross it. In addition to the above, your petitioners would lose some extremely expensive and difficult to replace trees and shrubs during the process.

The Bill also includes the provision of a new road bridge on Waste Lane which will bring the line of the road directly pointing at your Petitioners property, this will mean vehicle lights will shine directly through your petitioner's windows into our 2 year old daughter's bedroom and our bathroom. This will mean a loss of privacy and disturbance due to light from cars.

The bill also includes powers for the Secretary of State and the Nominated Undertaker to do construction works in the field directly adjacent to your Petitioners property which are estimated to take 5 years to complete and will include lorry movements, noise, the creation of dust and poor air quality. Your Petitioners are concerned that not enough provision has been put in place to protect your Petitioners and their family from the above effects.

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 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 your Petitioners. They need to suggest necessary changes from the current construction strategies before they are finalised or before works commence, these may include but are not restricted to:

Your Petitioners propose rerouting the proposed public right of way so it crosses over Waste Lane before your Petitioners property instead of after it and therefore uses a field boundary instead of a residential property.

Your Petitioners propose the addition of adequate mature tree planting around the proposed new Waste Lane road bridge to ensure no adverse affects are endured by residents including your Petitioners before, during or after the construction phase.

Your petitioners propose the addition of an adequate temporary barrier/fence to protect your Petitioners property and family from the effects of the construction site in the adjacent field. This should be capable of blocking out all sight, the majority of sound and as much dust and air pollution as possible.

11. Your Petitioner also wishes to ensure that they are properly compensated as regards the acquisition and use of their land, and are concerned to note that the compensation regime proposed by the Bill is inadequate and needs to be improved. In any event, any payment of compensation that is due to your Petitioner must be made as early as possible and must carry interest at a rate higher than is proposed under the Bill.
12. Your Petitioner proposes to your honourable House that HS2 Ltd should be required to undertake that it will, at a very early stage, seek to agree with your Petitioner a suitable specification for accommodation works where they are required as a result of the construction of the Authorised Works, and that the specification, once agreed, will be binding on the Nominated Undertaker.
13. Your petitioner notes that the Bill contains provision, in clause 48, enabling the Nominated Undertaker to carry out reinstatement works within the Act limits. In theory, that clause could be utilised so as to meet the concerns of your Petitioner but there is no certainty in

that regard, for a number of reasons, most notably that it only applies to reinstatement works within the Bill limits.

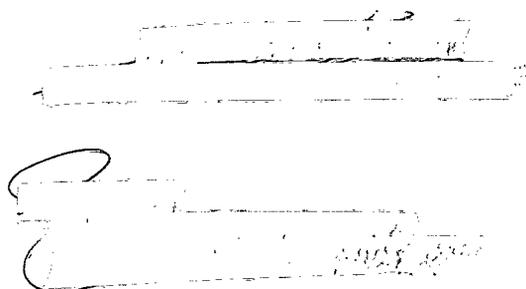
14. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioner and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

YOUR PETITIONERS THEREFORE  
HUMBLY PRAY

your Honourable House that the Bill may not pass into law as it now stands and that they be heard by themselves, 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 amendments as may be necessary and proper for their protection and benefit.

AND YOUR PETITIONERS will ever pray, &c.

Mr & Mrs Richard Chadwick



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PETITION

of

**MR & MRS RICHARD CHADWICK**

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AGAINST,

BY COUNSEL, &c.

MR & MRS RICHARD CHADWICK

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