

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 MR AND MRS SHAUN BATES

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' Mr Shaun Bates and Mrs Samantha Bates. Petitioners' property Fernbank, Lavender Hall Lane, Berkswell West Midlands CV7 7BN. Owned since 2003 by Your Petitioners 'Your Petitioners' property will not be demolished as a result of the Bill but it is located within 130 metres of the line and construction footprint. Your Petitioners' property is also on a residential road which will be used by construction traffic during the construction of the Scheme". In addition the road will be widened and significantly altered – an 'over bridge' will be built over the viaduct for the railway line.
8. Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners 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 and considerable health concerns. The proposed main compound and workers accommodation will be situated adjacent to 'Your Petitioners' property – Fernbank, and will be present for approximately four years. This will result in increased noise levels and visual effects In addition further disruption will be caused due to the construction of the Lavender Hall Lane over bridge which will involve the temporary re- routing of Lavender Hall Lane for approximately one year, with the diverting of a water and gas main over the

proposed over bridge, again resulting in adverse noise effects. Once HS2 is completed further disruption will be caused due to noise levels and visual effects from the line and train movements

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. In addition 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. 'Your Petitioners' would ask that a blight notice be placed on this property due to the above-mentioned issues
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.

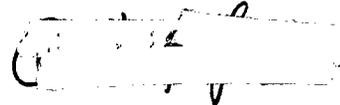
Signed MR SHAUN BATES



MRS SAMANTHA BATES



RT HON CAROLINE SPELMAN MP



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Against the Bill – On Merits – By Counsel &c

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