

IN PARLIAMENT
HOUSE OF COMMONS
SESSION (~~TO BE CONFIRMED~~) 2013 - 2014

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

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 Sally and Stuart Jackson

HEREWITH 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, 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 ("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.

Who your petitioners are

Your petitioners are Sally and Stuart Jackson (wife and husband) who reside at Spella Orchard (also known as Spella Bungalow) Lower Boddington, Northamptonshire, NN11 6XX.

Your petitioners property and surrounding garden and land of just over 2 acres in total, is located 75 metres from the centre of the line, will not be demolished as a result of the bill but part of the land will be required for use during the construction of the line. Your petitioners are located 1 mile outside both Upper and Lower Boddington in an exceptionally secluded and very quiet location. Your petitioners spent several years searching for their perfect property, the rarity of such a property plus having been unsuccessful at auctions for the occasional suitable property, make your petitioners property very special to them. When your petitioners finally had the privilege of finding their property, they felt like they had arrived in paradise. Your petitioners have grown into the property, having made numerous improvements and adapting it to fit in with their idyllic lifestyle. Your petitioners land surrounds their house which allows them the unique ability to see their paddocks from every window of the house. Your petitioners have 2 rescue ponies and the layout of the land around the property lends itself perfectly to the security of your petitioners ponies.

Your petitioners have created a habitat to encourage wildlife. The biggest change was that 6 years ago, your petitioners planted in excess of 150 metres of native variety traditional rural hedgerow, which has now matured into a haven for numerous species of birds and insects. Your petitioners have also sown a 100m strip of wild flower border to encourage pollinating insect life, and your petitioners have created a small pond to attract aquatic bugs and amphibians. Your petitioners have erected numerous bird boxes including a barn owl and little owl box. This beautiful hedgerow and wild flower strip is now in danger of being unnecessarily torn out. Your petitioners home was supposed to be their life long home, the peace and tranquillity of the rural location not only gives wonderful uninterrupted views, but also spectacular skies at sunset and dark starry skies at night due to no light pollution. Your petitioners live there because they love all these things. Your petitioners are not overlooked, they are private people and love to live in their surroundings in a kind and harmonious way. Your petitioners have spent the past 7 years feeding the birds and enjoy having foxes and badgers visiting their garden. Your petitioners also have had the pleasure of seeing endangered species such as great crested newts and pipistrelle bats living in their garden.

When hs2 was announced back in 2010, Your petitioners felt like their hearts had been ripped out, which resulted in your petitioners not being able to work or eat properly for days. The proposed railway has had a catastrophic effect on your petitioners wellbeing and has seriously affected their mental state. Your petitioners feel gutted not just for themselves, but also for the devastating effect to the wildlife in your petitioners garden. Sadly the whole eco system your petitioners have helped to thrive, is now at risk. Living at your petitioners property cannot be put into words, it has been a dream come true for them.

Your petitioners concerns

Your petitioners will be affected by the works proposed under the bill.

- a. This includes land and property subject to temporary compulsory acquisition.
- b. A maintenance loop and access to the maintenance loop being constructed too close to your petitioners property, land and property suffering changes to access.
- c. Mature hedgerow which would provide necessary screening, unnecessarily removed during construction.
- d. Adjoining land and lanes that will be used as construction camps during construction.
- e. Property blight.

- 7 Your petitioners are concerned that there is a temporary compulsory acquisition of their driveway and parcels of their land surrounding their property. Your petitioners will not be able to use their existing driveway to their property and your petitioners land will be split into two with construction work surrounding their property on their own land and adjoining land. Your petitioners driveway is 100 metres long and was constructed 6 ½ years ago at a great cost and effort to them. To have the railway and all its construction and associated works using your petitioners driveway, with works surrounding their property and encroaching on their land, will make it completely intolerable for them to live there. Your petitioners are concerned that the noise, earthwork, disruption and dividing up of their precious and necessary land, would make it impossible for them to continue living at their property with their ponies. It would be inhumane to expect your petitioners to witness their land being destroyed in front of their own eyes, due to a compulsory temporary acquisition order on their land. Your petitioners will be extremely and unbearably blighted by the construction works both on their land and adjoining land, making living in their property and the use of their land unworkable for their purpose.

- 8 Your petitioners request that due to the extreme blight to their property, your petitioners should qualify for the same compensation as properties within the safeguarded zone. It is with deepest reluctance, your petitioners feel their only option is to move.
- 9 Your petitioners are concerned at the illogical siting of the maintenance loop within 75 metres of their land. It will have major associated visual and noise impact for your petitioners and their immediate neighbours at Spella Barn. Proposals for night time working and security lighting will make living close by intolerable. There is an additional track that will run along side the railway, making the overall width of the line wider where it borders your petitioners land, therefore making the line closer to your petitioners property. Your petitioners are concerned that, after extensive previous meetings and consultations, HS2 Ltd have moved a maintenance loop into the parish of Boddington without the opportunity for consultation. The maintenance loop is an extremely large and intrusive feature of the railway. The proposal for security lighting and night time maintenance activities using diesel powered locomotives and equipment makes it even more intrusive at night. The maintenance loop was previously sited in a deep cutting in a neighbouring parish and we were assured by HS2 that, because of the depth of the cutting, the loop would not be visible and there would be no noise. The exact profile of the cutting and the mitigating earthworks is not clear but it would appear that the depth of the cutting will be much shallower than the original position and so the loop will be much more visible and the traffic associated with it, the lighting and 24hr noise will be very intrusive, making sleeping impossible at night. The new position of the loop so close to your petitioners property will have a major effect on your petitioners, as the entrance to the loop is at the end of their driveway. It will be impossible to continue living in such close proximity to the maintenance loop because of the unacceptable noise during night time operation, light and visual impact. When your petitioners asked HS2 why they had sited the loop so close to their property, HS2 said they thought that your petitioners property was an agricultural building. They concluded this from looking at maps rather than visiting the location. We feel that HS2 did not make any attempt to gather the correct information before making the decision to move them to the current proposed location.
- 10 Your petitioners request that the maintenance loop be moved back to its original position in a deep cutting in the neighbouring parish of Wormleighton or to another suitable location away from residential properties nearer to a main road, where there would be easy access for the maintenance workers. Easier access to the loop would make it safer, in case of an emergency, the maintenance team would be able to be on site much faster.
- 11 The hedgerow your petitioners have planted along their south west boundary is in danger of being unnecessarily removed. It currently runs parallel with the rail line, it would provide important natural screening from the rail line.
- 12 Your petitioners request that the hedgerow is preserved, and not unnecessarily ripped out during construction.

- 13 Your petitioners are concerned that neighbouring land to be used for construction camps are too close to residential properties and are located off a small country lane, which is unsuitable for heavy maintenance traffic.
- 14 Your petitioner requests they are moved further away from residential properties, to a more suitable site with better highway access.
- 15 Your petitioners are concerned that their property will be seriously blighted by the close proximity of the maintenance loop, construction works for the railway and construction camps.
- 16 Your petitioners request that unless the maintenance loop and all construction work is moved further away from them, they feel they will be reluctantly forced to move. Therefore HS2 in order to build their railway, should give your petitioners the full value of their property plus all moving costs, a home loss payment, assistance in relocating and plenty of time to relocate.

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.

Sally and Stuart Jackson

19th May 2014

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SESSION [To be confirmed]

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BILL

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AGAINST, By Counsel, &c.