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IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013-14

HIGH SPEED RAIL (LONDON- WEST MIDLANDS)

BILL

PETITION OF DAVID JACK TURNER and

BARBARA ELIZABETH TURNER

AGAINST, By Counsel, etc

PETITION COVER SHEET

Contact details of Petitioners;

Names; DAVID JACK TURNER and BARBARA ELIZABETH TURNER

We understand:

that a copy of this petition, including any contact details which we have included but without our signatures, will be placed on the parliamentary website and a hard copy will be made available to anyone who asks for it

that a copy of this petition together with this sheet will be:

a kept in the Private Bill Office and subsequently kept as a record of Parliament in the House of Lords Record Office (where it can be accessed by the public under the Freedom of Information Act 2000);

b will be made available to the Parliamentary Agent responsible for the Bill once our petition has been deposited in the Private Bill Office.

that the personal information supplied above and on the petition may be kept in a database by either or both Private Bills Offices. These databases may be used to store summaries of e-mails and/or conversations for the purposes of keeping track of procedural advice/information given to the parties or received from them. This information will only be shared between the Private bills Offices unless prior permission has been obtained from the petitioner/agent concerned

We agree to obey and observe the orders and practice of the House of Commons and any rules prescribed by the Speaker in relation to the proceedings on this petition

Signature of petitioner DAVID JACK TURNER

Signature of petitioner BARBARA ELIZABETH TURNER

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 DAVID JACK TURNER AND BARBARA ELIZABETH TURNER

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, Mr Chancellor of the Exchequer, Secretary Theresa may, Secretary Vince Cable, Secretary Ian Duncan Smith, Secretary Eric Pickles, Secretary Owen Patterson, 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 undertakes ('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 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 the Schedules 2 and 3 to the Bill

7 For 40 years your petitioners have lived in a flat on the 1st floor of a tower block (Flat 1 Dalehead, Amptill Square Estate, London NW1 2JL), 150mtrs from the north end of Euston Station's existing

platforms and 170mtrs from the line going north. The block will not be demolished as part of the Bill. As well as its extreme proximity to the line the block will overlook an Hs2 construction site. Major services trunking runs under and beside the block ,and across the Estate – all requiring diversion in the early stages of construction

8 We are pensioners. Mrs Turner has mobility restrictions and Mr Turner is asthmatic. We will be over 80 if we survive the full construction period

9 For over a decade we have lived through huge and relentless building works caused by the need to re-clad our block and remodel the estate at a cost to us of over £35,000 and some of our sanity

10 The environmental statement predicts 'adverse effect' on us for the next decade, including 3 periods when we are to expect 'major adverse effect' – caused by excessive noise 24/7, vibration, airborne particulates and traffic chaos . Realistically, we will be living in a vast building site for the rest of our lives.

11 No compensation or help to move is offered. Thus, though not exclusively, this petition majors on the alleviation of our plight

12 Your Petitioners and their interests are injuriously affected by the Bill, to which your petitioners object for reasons amongst others, hereinafter appearing

TRAFFIC MOVEMENTS

Problems

13 The environmental statement proposes the removal of waste soil by road and assesses the consequences on account of traffic movements, noise, safety and air quality. Local informed views are that the extent of traffic movements and their effects are seriously under-assessed. Even so, together, they represent a major erosion of the quality of the lives of thousands (including your petitioners) living in and around Euston and expected to suffer 'serious adverse effects' for many years. Inadequate assessment is made of the practicality of removing waste and other construction material by rail and there are insufficient proposals for doing so, even though the means of doing so is all too available. Both being pensioners, your Petitioners are very worried that ambulances and other emergency vehicles will be delayed in reaching us due diversions and hold-ups

Redress

14 Hs2Ltd, in concert with respected independent civil engineers should quantify the amount of waste that cannot be removed by rail and publish the reasons why. Plans should then be made to remove the agreed percentage of waste by rail and this percentage should be monitored and published by the London Borough of Camden and their costs should be reimbursed by Hs2Ltd

15 Hs2Ltd should be tasked with monitoring the number of train and vehicle movements devoted to waste removal and make their records available to LB Camden and the public on request. Hs2Ltd should pay LB Camden an agreed charge for every vehicle movement over and above those assessed by the independent civil engineers (above)and this money should be applied to alleviating the plight of those adversely affected

16 Hs2Ltd and the independent engineers should conduct a similar process for the movement of other construction material, the monitoring etc of which to be undertaken likewise

ENVIRONMENTAL CONTROLS DURING CONSTRUCTION

17 This addresses volume 1, paras 6.3 of the Environmental Statement and the Bill generally

Problems

18 It is imperative that a robust regime is in place to safeguard those who will suffer extreme effects throughout the construction period. Whilst addressing this, the regime anticipated in the Bill is not sufficiently robust to deliver minimum acceptable safeguards. There is no independent 'champion' identified in the Bill and that proposed by the Secretary of State for Transport (a residents commissioner) reports to Hs2Ltd and is thus patently not independent. The bodies in the Bill charged with drawing up the regime and subsequent monitoring (nominated undertaker, lead contractor etc) are the very bodies likely to cause the disturbance in the first place. Rather like the arguments against police monitoring police and press monitoring press, your petitioners believe that the drawing up, monitoring and policing of environmental controls should not be done by those causing the problems in the first place. We also think that the terms used in the Bill such as 'engage with, seek to ..' etc insufficiently proscribe responsibilities laid on the contractors and do not assure minimum safeguards. It is telling that there is no independent body to whom aggrieved stakeholders can appeal against Hs2Ltds decisions across the board

19 Hs2 and the massive development of the line and Euston station will, for years be the largest infrastructure project in Europe- and possibly the most expensive. It is appropriate that proportional safeguards are put in place to robustly protect those living through it, and Hs2Ltds consultation to date has been roundly criticised

20 Furthermore, the proposed compensation on offer to those not wishing to live through the build is wholly inadequate in that it applies to hardly any in Euston enduring 'extreme adverse effect' and does not provide for their removal to a safe place in the vicinity

Redress

21 The distance from the centre track within which those living can apply for compulsory purchase should be extended to the areas known as 'urban' and the distance extended from 60mtrs to 200mtrs. Offers to buy must recognise the special factors of the Euston area and enable householders to move to a safer place within their borough and be fully compensated for all removal etc costs as well as a disturbance premium of 10% of the agreed price

22 Those eligible to move but choosing not to may, at Hs2Ltds expense have an audit of their premises conducted by an independent specialist sound engineer. Works required to reduce noise pollution to an agreed level will be identified by the engineer and installed by Hs2 at their cost. The cash payments to those remaining in rural areas should be extended to those in urban areas

23 Hs2Ltd should make available enough local private 'havens' to meet demand from residents suffering extreme and prolonged disturbance. Havens will consist of allocated rooms equipped with facilities, TV etc, the means to cook and with resident caretakers. They should be allocated on a

weekly basis to individual residents, free on demand. Hs2Ltd should also provide drop-in centres for residents needing to get away from the turmoil for shorter periods during contractor on-site hours

24 Clear performance standards for noise and airborne particulates at certain and several distances from the works, and, save emergencies, the hours of the day they will not be working, should be publicised. These standards should recognise and at least meet current legislation unamended, and recognised best practice. The standards should be specified by a new authority in discussion with, but wholly independent of Hs2Ltd or its contractors. Performance should be regularly monitored by this authority and placed in the public domain. The authority will impose and publish fines on contractors not meeting the standards

25 Aggrieved local individuals, their agents and other bodies (including local authorities) might then report transgressions of the standards or any matter they feel requires redress and the authority will have powers to order redress, impose penalties and/or award compensation as appropriate. All cases will be publicised. Adjudication will be free of charge at point of use. Hs2Ltd will bear the cost of the authority and all its costs

26 Hs2Ltd will set up a 24/7 telephone service for reporting any instances requiring redress and be allowed a short period to make amends before the authority can be approached

UTILITIES

Problems

27 The environmental statement presages diverting, replacing and repairing existing gas, water and sewage distribution networks, and constructing new networks throughout safeguarding areas.

27 Our flat is wholly dependent on an uninterrupted supply of all these services, many of which are old – some even uncharted. The fact that, as of now LB Camden has not even been approached for information does not provide assurance that Hs2Ltds contractors will do this work without interruption to these networks and the environmental statement is light on the consequences of damage and expectations of timely repair

Redress

29 Hs2Ltd should be specifically charged with undertaking adequate research and preparations before interfering with any utility network. Legislation should include reasonable response times to reinstate failed supply and fines for interruptions, to be collected by local authorities and spent on redress for households enduring disruption. In addition, cases relating to interrupted services could also be adjudicated upon by the independent authority envisaged above. In the event of Hs2s contractors failing any safeguard to the provision of any utility, the relevant local authority should be empowered to undertake work necessary to reinstatement and bill Hs2Ltd for all costs

PARKING

Problems

30 The entire safeguarding area and beyond is subject to expensive controlled on and off-street parking. For Camden zone F and others the supply of spaces often does not meet demand. This

problem will be made much worse when Hs2Ltds contractors appropriate and close roads – sometimes for all time. The amount of road space will be much reduced, against demand remaining constant because very few occupants will be relocated. Permits are annual so many will have paid £260 only to be left without any means of parking. My wife has mobility limitations so this is important to us.

Redress

31 Local authorities should be empowered to deny Hs2s contractors the right to access their roads and stop off parking spaces until they provide at least the same number of spaces locally as they are closing. Should they not meet this requirement, local authorities should be charged with providing adequate local replacement spaces. Throughout, the ratio of disabled parking should be maintained All costs associated with this scheme should be borne by Hs2Ltd

SOUTHERN TERMINUS

Problems

32 Euston station has the second most spare capacity and is the worse connected of the five main London termini. That said, Your Petitioners understand that, because the environmental statement identifies it as the southern terminus, they cannot petition against it (albeit that Paddington or Waterloo Stns are much more deserving cases for increasing capacity), We note that the costs of the line from Euston to Old Oak Common (£12billion at 2011 prices) approaches 20% of the cost of the whole scheme An important station at Old Oak Common is alluded to in the statement but as we write there is no absolute commitment to its construction. As envisaged, there is no direct interchange with Crossrail and, thus Heathrow – an absurdity. This is the problem

Redress

33 A major interchange station should be designed and built at Old Oak Common. At one stroke and for relatively little cost it would regenerate a huge wasteland and greatly improve Hs2s connectivity via Crossrail to Heathrow and many other areas of Greater London. Old Oak Common is ripe for early development with far less disturbance than Euston and so very much cheaper. If Euston station remains the end of the line, building the line south to north should begin at Old Oak Common, allowing proper time for the further lengthy consultation and design of the large area of Euston station and surrounds

DESIGN OF EUSTON STATION

Problems

34 Despite recent pronouncements by the Chancellor and Sir David Higgins presaging a development of Euston station and surrounds very much bigger than anticipated by the Environmental Statement , your Petitioners understand that this petition must address the plans outlined in the Statement and the Bill. It supposes a wider, single deck arrangement, wasteful of space, offering very little to the wider borough, and is disastrous for an estimated 400 souls east of the station having to be displaced. No less than three major bridges (Granby Terrace, Mornington Terrace and Hampstead

Road) are having to be replaced at huge cost and very great disturbance. These bridges are, respectively, 110, 150 and 250mtrs from our home. Hs2Ltds research into other station layouts has been cursory, aimed principally at discrediting them- to the point that they are not even mentioned in the Statement or Bill

Redress

35 It is clear that recent pronouncements put the development of the station and surrounds will be much larger than anticipated in the Bill. We respectfully ask that the plans for Euston Station be removed from the Bill and treated separate from this Hybrid Bill. When fully developed, costed and consulted upon they should form a separate Hybrid Bill and enjoy the full process of Hybrid Bills generally (prior consultation to EC standards, voting by both Houses, petitioning etc) – just as this Bill

36 Very eminent architects, civil engineers and town planners have developed detailed costed plans for a two-tier layout (double deck down) and this has the tacit approval of LB Camden. There are at least 6 other possible layouts. In the interests of reducing displacement of people, disturbance of others, and possible cost savings, reputable and renown experts wholly independent of Hs2Ltd and having no other locus in the scheme should be appointed to conduct thorough, detailed and costed plans for the station layout, and to make recommendations. The cost of their work should be borne by Hs2Ltd. This should begin at a very early stage of the design of the wider area. There should be a presumption in favour of the adopted plan staying within the existing station footprint

37 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 that Hs2Ltd, 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 impact on your petitioners and their community. And they need to suggest necessary changes in the results from that review before works design and construction strategies have been finalised or construction contractors employed

38 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 Petitioner

39 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.

Signed DAVID JACK TURNER.....

Signed BARBARA ELIZABETH TURNER...