

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 Brian Mullan

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 petitioner is the owner of a building (52 Allison Street, Digbeth, Birmingham, B5 5TH), with it's frontage on Bordesley Street, that has operated as a hostel for older single vulnerable men for over 35 years. The hostel itself operates as a 'not for profit' company which provides housing and support for up to 26 men. Half of the men are long term residents - up to 14 years; a quarter move onto different hostels and the remainder go on to independent living. The residents have a mixture of complex needs including alcohol abuse, mental health, learning and physical disabilities.

Your Petitioners property lies just outside the safeguarded area yet we are right next to the HS2 Curzon Street Station. The safeguarded area ends and immediately there are eight terraced houses and the petitioner's property. These properties are probably the closest residential properties to the proposed Curzon Street Station.

The Petitioners' property is also on a road which will be used by construction traffic for five years during the construction of the Scheme. This will have a massive effect on the approx. 38 residents living on Bordesley Street most of which are older and/or vulnerable.

8. Your Petitioner and their property is injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

9. The Petitioner has been a member of the Washwood Heath to Curzon Street Community Forum but found this a very frustrating process with few of the concerns raised, addressed by the HS2 team. There are still action items from that forum that are 'open'. A number of one to one meetings with the local HS2 team have also taken place but although there is an acceptance by HS2 that issues exist, no resolution has been offered. The Petitioner has also responded the HS2 Phase One Environmental Statement Consultation but has no idea if the issues raised will be addressed.

The Petitioner has the following issues:

(i) The current design for Curzon Street Station will sever the Fazeley Street and Park Street access therefore cutting Digbeth off from the city centre. Access and permeability to/from the city centre has not been adequately addressed despite the real loss of amenity.

(ii) Construction. In the Environmental Statement Consultation, Volume 2, CFA 26 - HS2 states *'The combination of noise, visual and HGV traffic effects will result in a major adverse effect on the amenity of residents at these properties for approximately five years in total, and is therefore considered significant.'* Despite this absolutely no mitigation has been offered to the residents of Bordesley Street.

(iii) The increase in taxi traffic from HS2 will blight Bordesley Street and the residential properties as taxis will not just go down Park Street as HS2 assume. In the Environmental Statement Consultation, Volume 2, CFA 26 - HS2 states *'These increases in noise level from the changes in road traffic are likely to adversely affect the acoustic character of the area such that there is a perceived change in the quality of life. These effects have been considered significant when assessed on a community basis taking account of the local context.'* Despite this absolutely no mitigation has been offered to the residents of Bordesley Street.

10. Your Petitioner respectfully requests:

(i) The Select Committee extend the safeguarded area down Bordesley Street as far as Allison Street to include the residential properties. This would at least give the residents and owners of these properties some options.

(ii)) The Select Committee increase the access/permeability from Digbeth to/from the city centre via Bordesley Street and Shaws Passage. The Petitioner supports the plans proposed by Birmingham City Council for Paternoster Square that would address the loss of amenity from the severance of Fazeley Street and Park Street.

(iii)) The Select Committee remove Bordesley Street and Shaws Passage as a construction route. All construction traffic could be from the North and East of the site and around the immediate station footprint.

(iv)) The Select Committee provide via HS2 noise and air pollution mitigation measures to the residential properties affected including double glazing and insulation.

(iv)) The Select Committee re-route taxis back down the side of the station following the route they entered Curzon Street Station instead of using Park Street and Bordesley Street.

(v)) The Select Committee instruct HS2 to consult properly with local residents who are adversely affected.

11. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, so far affecting your Petitioner, 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 Petitioner and their rights, interests and property and for which no adequate provision is made to protect your Petitioner.

YOUR PETITIONER 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 Petitioner 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 Petitioner will ever pray, &c.

Signed

BRIAN MULLAN



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