

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

**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 Kyn and Vicki Aizlewood

SHEWETH 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.

- 7 Your Petitioners are resident at 315 Cromwell Lane, Burton Green, Kenilworth CV8 1PG which is located approximately 70m from the proposed centre of the HS2 train line as it goes through the middle of Burton Green. Our understanding of the Environmental Impact Assessment is that we will be specifically and directly affected (or in some cases severely affected) by:
1. The demolition of some nearby properties
  2. The compulsory purchase of near-neighbouring properties
  3. The potential compulsory purchase of the end of our garden.
  4. Severe noise//dust/vibration during the 4-5 year construction period, especially during a 12 month period during which a cut and cover tunnel is to be built, to the North of our home.
  5. Construction routes at the front of our property on Cromwell Lane (West) and on Red Lane (South)
  6. A large rubble-sorting compound at the rear of our property (East)
  7. The potential loss of our Village Hall, at which we regularly attend community events
  8. Potential inability to access directly the Village Hall e.g. during construction phase
  9. Loss of the peace and quiet (tranquillity) of our environment from the start of the construction phase, forever
  10. Loss of amenity of the Greenway upon which we take regular weekend walks
  11. Loss of access to Tile Hill station (from which I commute into London)
- 8 We have lived in Burton green for 13 years and selected the area because it is quiet and semi-rural and have wanted to remain as it has a strong community feel through the village hall and excellent local walks and wildlife.
- 9 The impact on us has been recognised by the Exceptional Hardship Scheme which acknowledged that we are suffering hardship arising from the impact of planning blight on the value of our home (making it financially unviable for us to move) but did not consider this hardship sufficiently "exceptional" to support buying our home from us. In effect therefore we have had no access to any compensation scheme since the HS2 scheme was announced over 4 years ago which we consider to be a shameful way for a democratic government to behave and totally unacceptable.
- 10 Furthermore we stand to be affected by loss of income / further severe disruption to me personally in trying to commute into London Euston. We understand that there will be a significant disruption to current commuter services into London Euston via Coventry, for a period of some years, whilst Euston is being rebuilt and which is how I get to work (since we have been unable to sell our house at anything close to a market rate and relocate closer to London). Because of the inability to relocate, to offset the cost of the £8000 per year season ticket we have rented out a room in our home, and we stand to lose this income from the start of the construction phase. The impact on environment and tranquillity may also affect my wife's ability to develop a business as an artist.
- 11 In summary 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.
- 12 Your petitioners assert that we are unreasonably and unnecessarily affected by the HS2 railway current design, as described in the Bill and in the supporting documents including the Environmental Statement. Unreasonably in that the proposed design is insufficiently effective at mitigating the effects of the scheme at completion, and more significantly in that little or no account seems to be taken of the enormous impacts caused by the proposed construction method – a cut-and-cover tunnel which bisects the village. Examples of how we

are specifically affected are listed above but to note that these affect many others living in Burton Green. We are unnecessarily affected as effective and technically feasible solutions are known to exist in the form of bored tunnels.

- 13 Your petitioner's property is described in the documentation as being subject to significant impacts during the lengthy construction phase.
- 14 Your petitioner's property will also overlook the material grading pile/construction sites/routes which will cause problems with noise, dust and potentially vibration during this same lengthy construction phase and for which (along with 14 above) we consider it fair and reasonable that we should be compensated.
- 15 Your petitioner's property is shown in the documentation to suffer in perpetuity from noise created by the operation of the proposed railway which will continue to prevent our peaceful enjoyment of gardens and outdoor spaces and which (for no fault of our own) will transform the area and remove the tranquillity forever. We also think that this should form the basis of compensation.
- 16 Our home has been subject to severe planning blight since the scheme was announced in February 2010 i.e. for over 4 years and for which there has been no effective compensation for which we can apply. At time of writing no clear end date has been set by which we can receive compensation, creating much anxiety and stress associated with decisions we would have expected to progress. For example we have wanted to relocate to nearer my place of work in London. We have wanted to down-size from a 5 bed room house after the death of my elderly mother in law and with our young adult children leaving home, releasing money invested in our home to fund retirement. These intentions have been confounded by the HS2 proposal and the absence of appropriate compensation scheme. Our application to EHS was rejected as not being sufficiently "exceptional" to warrant compensation. Nevertheless we think that the government should accept its responsibility in this matter and that if the HS2 scheme really is in the national interest it should compensate us (and others clearly and materially affected) NOW and with full regard to backdating such claims to February 2010 to address inflation and rising house prices.
- 17 As advised under 10 above, we will potentially suffer loss of income under the Rent a Room scheme during the construction period and this should be taken into account in ensuring full and fair compensation
- 18 Your petitioners are regular users of the Greenway for walking at weekends and enjoying the peace and tranquility of walks to Berkswell and Crackley Wood. Whilst we note that the Greenway is to be restored after HS2 is operational, walking alongside the route of a high speed train is not an equivalent proposition to a peaceful woodland walk,
- 19 Your petitioners also note that the local woodlands and especially the ancient woodland in Broadwells Wood will suffer extensive losses.
- 20 Your petitioners are regular users of Burton Green village hall which is scheduled for demolition with obvious potential impact for the activities within the hall. Your petitioners request that the relocation of the village hall be achieved prior to the first construction impacts to prevent any break in operation. Similarly we would expect that it should be re-provided to an equivalent specification in a location accessible to the whole village.
- 21 Your petitioners are concerned that the value of their property has been very substantially reduced by the impact of the HS2 proposal, with a loss likely to be in excess of £200,000 at current prices with significant future impact on our retirement. In summary we think that

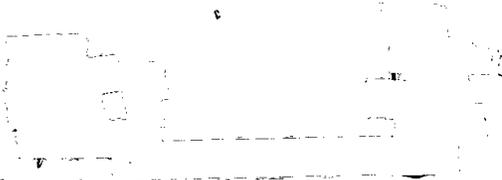
compensation should include:

1. Compensation for the effect of blight over the last 4+ years, back-dated to February 2010
  2. Compensation for the deleterious impacts on quality of life arising from living in a property in the middle of a building site for 4-5 years i.e. during the construction period
  3. Enabling us to realise the un-blighted property of our home (i.e. market value) adjusted for changes in property prices since 2010.
  4. Compensation for the cost of moving home.
  5. Compensation for the loss of tranquillity and amenity lost
    - During the construction period
    - After construction
  6. Compensation for potential loss of income associated with
    - The ability for me to effectively commute on a daily basis into Euston whilst Euston station is being rebuilt (ie if I am no longer able to keep my job)
    - Loss of rental income from renting out a room that currently subsidises the annual cost of a season ticket
    - Loss of earning for my artist wife
- 22 With regard to the above, we ask you to consider that compensation should be available NOW and in a timely and readily accessible way to allow us to move on with our lives.
- 23 We note that whilst all the above applies specifically to us, some aspects apply more generally to many other occupants of Burton Green.
- 24 Your petitioners request that the design of the proposed scheme in this area should be examined afresh and to take full account of the human and environmental costs/benefits of the proposals and to do so in an open and transparent manner. We note that despite many requests during the 'engagement processes' of the last four years the relative weightings of the SIFT criteria are still unpublished leading to our belief that decisions could have been made in an inconsistent or even arbitrary manner across different regions of the line, and that really the only factor with real effect is that of construction cost. Given that the proponents of the scheme seem unwilling to compensate all those that are affected by the scheme it seems only reasonable to ask for the very best design and mitigation and not just the cheapest as otherwise it is the case that a small group of people are being expected to bear disproportionate personal costs for a scheme nominally in the national interest.
- 25 Your petitioners specifically request that full consideration is given to one of the bored Tunnel proposals, for which that described as 'Option F' within HS2 documents would solve all of our individual concerns and of course those of many others in both this village and the wider area.
- 26 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, the Bill so far as affecting your Petitioners, should not be allowed to pass into law.
- 27 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 Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.



K. Aizlewood



V L Aizlewood

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