

PETITION AGAINST A PRIVATE BILL

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 MARIA ELENA MARTINEZ

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, 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 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. Maria Elena Martinez (hereinafter referred to as "Your Petitioner") has lived at No. 37 Ainsdale, Harrington Street, NW1 3SD for 28 years. Your Petitioner first arrived in the UK in 1978 before gaining British citizenship sometime later. Your Petitioner was able to purchase her council flat from the London Borough of Camden in 2001 under the 'right to buy' scheme and had had every intention to continue living there for the foreseeable future. The central London location and excellent transport links are vital for her daily work commute into Earls Court, south-west London and her flat is also within 2 minutes walking distance of the Silverdale council estate where her elderly impaired mobility sister currently lives. In recent years this proximity of residence has become increasingly important as both sisters look to rely on each other for emotional and physical wellbeing. Your Petitioner's son attended nursery, infant and primary education within the Euston area at St Aloysius' RC schools. Your Petitioner's son also lived at home whilst attending a Mechanical Engineering course at Imperial College London and has only recently moved away to the London Borough of Lewisham in South East London. Your Petitioner's son regularly visits his mother, at least once a week, and still has family and friends within the West Euston area. The close proximity of Your Petitioner's property to both Euston and King Cross St Pancras railway stations means it is often used by Your Petitioner's son for overnight stays in advance of railway trips both national and abroad from the aforementioned stations.

Your Petitioner has been an integral member of the Regent's Park Estate community since arrival and is well liked by neighbours and other residents alike. Your Petitioner's relatively modest income and living alone status will make it very difficult for her to afford like-for-like property in the immediate area without substantial assistance from the government.

Since receiving news of the HS2 scheme in early 2009, Your Petitioner has suffered increasing amounts of stress as a result of the uncertainty surrounding the future of her property and what, if any, compensation she would be entitled to.

Your Petitioner's property will be destroyed as a result of the Bill.

8. Your Petitioner and their interests are injuriously affected by the Bill, to which Your Petitioners object for reasons amongst others, hereinafter appearing.

9. Your Petitioner has exercised her 'right to buy' and wishes for the Government to make special arrangement to protect her interests. At present, Your Petitioner faces having her home demolished and then being paid much less for her property than would be required to purchase a similar sized flat within the same neighbourhood. This simply is not fair. As a Leaseholder who has exercised the right to buy, Your Petitioner makes up an important part of the existing mixed and balanced community on the Estate, and will be displaced as a result of the works. Your Petitioner would qualify for statutory compensation, but given the shortage of housing equal value in the area, she is unlikely to be able to afford a new home and remain part of the community in Regents Park. Your Petitioner has, on several occasions, asked the Promoters to agree that in order to preserve the community, leaseholders should be given the same opportunity for rehousing in the area that the displaced council tenants will be given. Unfortunately, the Promoters have not agreed to do so. That approach will have the effect of fracturing communities and will force homeowners out of the area.

10. Alternative accommodation in private blocks, whether a house or a flat would be outside Your Petitioner's financial means. The Euston area is extremely diverse in terms of property prices - it includes some of the most expensive accommodation in London with even more modest flats than that currently occupied by Your Petitioner selling for in excess of £750,000. Even taking into consideration the Promoters' offer of 10% compensation on top of the unblighted value of her property, Your Petitioner would almost certainly not be able to acquire suitable alternative private accommodation in the area.

11. Your Petitioner does not wish for her home to be demolished, however, if it is, then Your Petitioner wishes for the Government to meet the guarantees demanded by her MP Frank Dobson, namely that:

- I. All tenants, leaseholders and owner-occupiers should receive genuine, suitable alternative accommodation
- II. All leaseholders should be compensated to the value of an equivalent property in the Euston area in terms of size
- III. All leaseholders should be compensated for lost employment earnings arising from
- IV. having to take leave (paid or unpaid) to attend open house events, view houses etc. and all other activities related to moving home
- V. All such homes should be within the neighbourhood if the displaced residents so desire
- VI. The London Borough of Camden should remain the landlord of existing leaseholders, if that is what they want;
- VII. Alternative homes should be provided straightaway with no-one being required to move into temporary accommodation
- VIII. Nothing should affect security of tenure
- IX. Neither rents nor service charges should be higher than if affected residents had not been forced out of their homes

12. If the threat of HS2 did not exist, Your Petitioner would be very content living on Camden's Regent's Park Estate, an area of well-spaced, well-constructed blocks of flats in generally good condition, surrounded by mature trees, open spaces and a very peaceful atmosphere. For these reasons, and because of the closeness of public transport, local shops, Regent's Park itself and Central London, Your Petitioner would not be looking to move and would have been looking forward to spending the foreseeable future here, in her own home and neighbourhood. However if Parliament decides that the HS2 railway should go ahead as currently planned, they request that the above mentioned be put in place.

Your Petitioner's primary intention is to remain in their borough in a like for like property.

13. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect Your Petitioner and her rights, interests and property and for which no adequate provision is made to protect You Petitioner.

YOUR PETITIONER therefore humbly prays 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 their 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 her 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.

Signed Maria Elena Martinez.....
