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IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013–14

High Speed Rail (London – West Midlands) Bill

Against the Bill – on Merits – Praying to be heard by counsel, etc.

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION OF Harold Leslie Ayres and Olive Madeline Ayres

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 Secretary Patrick 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, 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 compulsory acquisition, the extinction and exclusion of rights over land, the temporary possession and use of land, planning permission and deregulation in connection with, inter alia, heritage and environmental matters. Clauses 37 to 52 deal with railway matters, nominated and statutory undertakers, regeneration and reinstatement and further high speed rail works. Clauses 53 to 65 contain miscellaneous and general provisions.

4. The nominated undertaker (defined in the Bill and hereinafter referred to as "the nominated undertaker") is authorised by the Bill, if enacted, to construct and maintain the works specified in Schedule 1 to the Bill being works for the construction of Phase 1 of High Speed 2 and works consequent on or incidental to such works. These works are called "the scheduled works".

5. Your Petitioners (hereinafter referred to as "your Petitioners") own and occupy "Farthings", London Road, Wendover HP22 6PN. Your Petitioners' property is shown in map CT-10-020 and is situated approximately 325 meters from the proposed HS2 railway line and approximately 475 meters from the proposed Small Dean Viaduct. Your Petitioners have been in receipt of letters from HS2 Ltd which indicate that it considers that they are affected by the Bill. Your Petitioners are 82 and 85 years of age respectively.

The Bill, if enacted, would authorise the construction and operation of the railway through and near London Road, Wendover and your Petitioners object to those parts of the works outlined below.

6. Objection is taken to the works proposed to be undertaken in and near London Road, Wendover between Great Missenden and Wendover. These works consist mainly of two viaducts, embankments and very large scale construction works in connection therewith.

7. Your Petitioners claim that the proposed works would affect the area in which they reside which forms part of the Chilterns Area of Outstanding Natural Beauty ("AONB") and HS2 will cause irreparable and unacceptable damage to this area if it is

allowed to go ahead as currently proposed in the Bill. Your Petitioners contend that the only option is for a bored tunnel under the whole AONB.

8. Your Petitioners claim that the adverse effects caused by the planning, construction and operation of the railway must be mitigated by HS2 Ltd as much as possible and that your petitioners who, despite such mitigation, are adversely affected, should be adequately compensated for all the consequential financial loss, damage, nuisance, inconvenience, loss of amenity and personal injury that they will suffer.

The Alternative: A fully bored tunnel.

9 Your Petitioners propose that the works be replaced by a fully bored tunnel throughout the AONB at Stoke Mandeville for the following reasons:-

- i) Financial savings would be brought about by not having to construct the two expensive viaducts at Wendover Dean and Small Dean, as well as avoiding the need for the diversion of Rocky Lane, the construction of the under-bridge thereat, all the embankment work and the purchase of nearby properties.
- ii) A bored tunnel would eliminate all the construction work in the area wherein we reside together with the associated disruption caused by additional construction traffic on the A413 which is already a heavily used arterial route that becomes badly congested particularly during the morning and evening rush hours.
- iii) The proposed bored tunnel would also eliminate the fact that, at present, we cannot sell our home and are unlikely to be able to sell, or sell at the full market value, whilst the prospect of the Small Dean viaduct (both literally and figuratively) overshadows our property.
- iv) Furthermore, the market value of our home will be permanently and substantially reduced by the noise nuisance and the proximity of both the Small Dean viaduct and the embankment and your Petitioners' enjoyment of their home, overshadowed by the Small Dean viaduct to the north and

bordered by the embankment to the east, will be substantially and adversely affected by the railway.

v) The integrity of the AONB would, thereby, be largely preserved.

10. In principle the construction of a bored tunnel has been approved by HS2 Ltd.

Mitigation

11. If the proposal of a bored tunnel is rejected by your Honourable House, we propose the following mitigation:-

i) That all land drainage from the proposed works should be to underground reservoirs with appropriate soakaways.

ii) That all balancing ponds for railway and railway embankment drainage should also be to underground reservoirs with appropriate soakaways.

iii) That adequate provision be made to prevent surface water run-off from the proposed under-bridge carriageway for Rocky Lane to prevent the surface water accumulation which at present occurs at the junction of Rocky Lane and London Road (A413), and in London Road itself, causing regular flooding to your Petitioners' property.

iv) That a new water main be laid in Rocky Lane before the start of the construction phase in order to prevent the fracturing of the existing asbestos main by the weight of construction traffic.

v) That the surface drainage of the A413 London Road between Dunsmore Lane and the Wendover Bypass be corrected in order to eliminate the intolerable conditions at present prevailing whereby your Petitioners' property is regularly flooded following periods of heavy rain and surface water shot from the carriageway over their hedge during even the merest rainstorm.

12. We claim that we will be seriously and adversely affected both during the construction phase and thereafter during the operation of HS2.

Damage during construction

- i) There will be serious disruption of traffic and substantial delays caused by the additional 300HGV's envisaged by HS2Ltd using the A413, and passing our Petitioners' property as well as to the B4009 with backups in congestion reaching as far as the A41 three miles away.
- ii) The congestion will have a detrimental effect on the delivery of Emergency Services. The A413 is a major 24 hour Emergency Ambulance Service Route between Stoke Mandeville Hospital in Aylesbury and High Wycombe Hospital conveying heart patients between the A & E Department at Stoke Mandeville and the Cardiac Department at High Wycombe Hospital. Congestion in London Road Wendover will also impact on the journey times to local Health Care facilities located in Wendover. Visiting the shops in Wendover will become a more onerous task with the increase in journey time resultant on the congestion caused. We propose that, in partial mitigation, a footpath between London Road, Wendover and the centre of Wendover be constructed by HS2 Ltd to enable us to have access on foot to Wendover, one mile away.
- iii) The chalk dust from the construction of the scheduled works will cause considerable nuisance to us and our property and it is inconceivable that the whole construction area can be kept damp to prevent the dust travelling.
- iv) We object to the use of balancing ponds in the Chiltern AONB as these will drastically alter the unique character of the area.

Damage following completion

13. We claim that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects:
 - i) Our view of The Chilterns AONB would be permanently scarred by the construction of two viaducts and an embankment with heights ranging from

10 to 18 meters plus the associated catenaries. The line would be visible from numerous viewpoints and from your Petitioners' own property.

- ii) The effect of trains up to 400 meters in length running as frequently as every 2 minutes will totally destroy the tranquility of the area.
- iii) The noise from these trains will cause an intolerable strain upon our lives.
- iv) The value of our house has already been adversely affected to such an extent as to be unsalable. Current proposals of HS2 Ltd for compensation are unacceptable and we seek a further extension of the scheme to include our property which is, at present, excluded.

14. Your Petitioners seek Compulsory Purchase of their property. If Your Honorable House deems this proposal unacceptable, then we seek compensation by way of sound insulation and financial compensation for loss of amenity and diminution in value of their property. Current proposals only provide for compensation to be paid two years after the commencement of train operation i.e.2028. As by that time we will be 96 and 99 years old respectively, we seek amendment to the current proposals to allow for interim payments of monetary compensation to be paid from the commencement of the scheduled works.

15. Your Petitioners draw the attention of your Honorable House to the fact that, in the Southern section of the AONB, the specification of the route has been altered to include tunneling by way of mitigation. This provision has not been afforded to the Northern section in which your Petitioners reside.

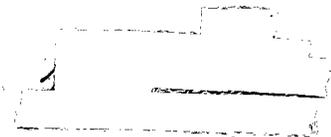
16. Your Petitioners therefore claim that, if this proposal is to proceed as a world class railway then the mitigation and compensation should also be to a world class standard.

17. Your Petitioners claim that The Chilterns AONB must therefore to be tunneled throughout.

YOUR PETITIONERS therefore 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 Counsel, Agent and witnesses in support of the allegations of this Petition against such of the clauses and provisions of the Bill as affect the rights and interests of your Petitioners and in support of such other clauses, amendments or provisions as may be necessary or expedient for their protection, or that such other relief may be given to your Petitioners as your Honourable House may deem meet.

AND your Petitioners will ever pray, etc.

[signed]

A handwritten signature in black ink, appearing to read "Harold Leslie Ayres", written over a rectangular area that has been redacted with a white box.

Harold Leslie Ayres

A handwritten signature in black ink, appearing to read "Olive Madeline Ayres", written over a rectangular area that has been redacted with a white box.

Olive Madeline Ayres

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PETITION OF Harold Leslie Ayres and Olive Madeline Ayres

Against the Bill - On Merits - By Counsel &c

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