

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 Jonathan Nicol and Karen Jean Nicol

SHEWETH as follows:

1. A Bill (Herein referred to as " the Bill") has been introduced and is now pending in your honourable house entitled "A Bill to make provision of 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 into 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".

ABOUT YOUR PETITIONERS

5. Your Petitioners own and occupy "Conifer Cottage", London Road Wendover HP22 6PN. They have lived at their property since April 2002 (12 years). Jonathan Nicol is 53 years of age and Karen Nicol is 56 years of age. If the line is completed in 2027 they will have to endure 13 years of misery by which time Jonathan will be 66 and Karen 69. This is not what your Petitioners would have expected in their retirement years. The property was purchased with a view to it being their peaceful retirement home or to be sold near retirement to fund a home near the coast.

6. This property is situated approximately 240 meters from the proposed HS2 railway line and approximately 250 meters from the proposed Small Dean Viaduct. We have been in receipt of letters from HS2 Ltd which indicate that it considers that they are affected by the Bill.

7. The Bill as proposed authorises the building and running of a line near their home. Their home has been referred to by MP RT Honourable David Lidington as being "*One of the worst affected areas of the entire phase one route*". The proposed line would run across the front of their home then on to a viaduct close to the side of their home.

8. Their home and their legal and environmental enjoyment of it will therefore be adversely affected.

9. Their home has lost considerable value since the announcement of the proposed line to the point where the local estate agent will not waste his time and money on valuation and marketing. The home has become unsaleable.

YOUR PETITIONERS' OBJECTIVES

10. The Petitioners' main objective is to seek to be included in the compulsory or voluntary purchase schemes. To stay living in the area during construction and post construction would impose significant strain upon them. If this is not an option the Petitioners seek monetary compensation for loss of value to their home and the hardship they will endure during construction, to be paid from commencement rather than the currently-proposed two years after construction, by which time they will be 68 and 71.

12. Their secondary objective is to ensure that, if they have to remain in their home post construction, the railway line is encompassed within a fully bored tunnel under the whole of AONB. This will minimise some of the negative environmental impacts. Furthermore, there would be financial savings, house values would go back up, construction work would be eliminated and the integrity of AONB would be preserved.

13. Their third objective is to ensure that during construction phase that a haul/relief road be constructed.

THE CONSTRUCTION PHASE

14. At the moment the A413 is very busy especially at peak times 6.30am – 9am and 3pm – 8pm. The petitioners therefore have major concerns about its use during the construction phase, as the extra traffic will cause the road to come to a standstill at peak times potentially trapping them in their home. A haul road would enable construction traffic to avoid the A413.

15. During the construction process there will be increased noise from the traffic and site workers. Our health will suffer due to the stress we will be under not to mention the dust flying around this in turn will put additional strain on the local amenities for example Local health centre, Hospital, police etc. We wish to see best practice employed by the construction industry, with an independent organisation or the local authority ensuring compliance and dealing promptly with enforcement issues.

THE OPERATIONAL PHASE

16. Our property will have decreased considerably in value. The noise levels will be of a nature as to interrupt sleep. We are concerned regarding the flooding from the balancing ponds, given existing drainage problems in the area. Views from both our house and in the area more generally will be forever diminished. The only way to minimise the impact of this will be for a fully bored tunnel throughout the Chilterns AONB.

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.

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HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION OF JONATHAN NICOL (1) AND KAREN JEAN NICOL (2)

Against the Bill – On Merits - By Counsel &c.

CONTACT DETAILS OF AGENT:

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