

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION

Against – on Merits – (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 Allan Victor Hewitt and Margaret Hewitt

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 Patterson, 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 hereafter referred to as "the nominated undertaker") is authorized by the Bill to construct and maintain the works specified in Schedule 1 to the Bill being works for the construction of Phase One 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") live at Brandon, London Road, Wendover, Buckinghamshire HP22 6PN. Your Petitioners' property is shown in the Zone of Theoretical Visibility in **LV-07 036** and in map **CT-10 020** and is situated approximately 325 meters from the proposed HS2 railway line and approximately 525 meters from the proposed Small Dean Viaduct.
6. Your Petitioners have been the recipients of letters in the post from HS2 Ltd which indicate that it considers that they are affected by the Bill. Objection is taken to both the construction and operation of certain scheduled works proposed to be undertaken in and near Wendover between Great Missenden and Wendover. These works consist mainly of a viaduct at Wendover Dean, an embankment between Hartley Farm and Road Barn Farm and Small Sean Viaduct. They include ancillary works such as satellite compounds, auto-transformer stations and balancing ponds and portal buildings.
7. Your Petitioners aver that the proposed works would affect the area in which they reside which forms part of the Chilterns Area of Outstanding Natural Beauty (hereinafter referred to as "ANOB") and HS2 will cause unacceptable damage to this area if it is allowed to go ahead. Your Petitioners support the Council for the Protection of Rural England which argues that the only option is for a bored tunnel under the whole ANOB.
8. Your Petitioners aver that the adverse effects caused by the planning and construction of the railway must be mitigated by HS2 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.
9. Your Petitioners propose that the works be replaced by a fully bored tunnel from Frith Hill to the boundary of ANOB at Stoke Mandeville.
10. Substantial financial savings would be brought about by not needing to construct the two viaducts at Wendover Dean and Small Dean, from avoiding the need to construct the underbridge at Rocky Lane, the embankment work and purchase of nearby properties.
11. The proposed bored tunnel will resolve the problem of unsaleable property. Your Petitioners are unlikely to be able to sell at the property's full market value if the initial proposal of the construction of the Small Dean Viaduct goes ahead. The value of said property will be substantially reduced by the

noise nuisance and close proximity to both the Small Dean Viaduct to the north and the embankment to the east and will be adversely affected by the constant noise of the high speed trains once in operation.

12. Your Petitioners aver that during construction of the scheduled works there would be the following effects:
13. Your Petitioners aver that the increase of traffic flow along the A413 where your petitioners reside, as a direct result of works undertaken by HS2, will cause considerable disruption and congestion to an already busy main route. The proposed closure of Small Dean Lane will directly affect the amount of vehicles using the Dunsmore Lane junction with the A413.
14. Your Petitioners further aver that the said congestion will have a detrimental effect on the delivery of Emergency Services who use the A413 as a major route between Stoke Mandeville and High Wycombe Hospitals.
15. The A413 on which your Petitioners property is located is a single lane carriageway in both directions. At peak times it is a fast moving route despite the 40mph speed limit and the added burden of construction works vehicles will add to the noise and disturbance and inconvenience to your petitioners lives.
16. Your Petitioners aver that the air quality will be affected by the increase in exhaust fumes from the large number of heavy plant expected to be using the A413 during construction phase, the transportation of spoil from and dust arising from the excavations for the viaducts and embankment.
17. Your Petitioners are also concerned that toxic and explosive gases are to be stored at the Small Dean compound and the consequent risk to health from the build up and lateral migration.
18. Your Petitioners are concerned that the above mentioned compound at Small Dean will be noisy and brightly lit for extended periods which will impact on the quality of your petitioners day to day lives. Therefore the Code of Construction Practice must be written to and adhered to in the highest of standards with the independent monitoring and fast track arrangements for the raising and resolution of breaches.
19. The value of your Petitioners house has been adversely affected since the announcement of HS2 in 2010 and to such extent has been pronounced unsaleable during the construction phase. The current proposals of HS2 Ltd for compensation are unacceptable and your Petitioners seek a further extension of the scheme to include your Petitioners property which is at present excluded.

20. Your Petitioners seek Compulsory Purchase of their property. If Your Honorable House deems this proposal unacceptable then your Petitioners seek fair compensation for the loss of value in their property.
21. 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 should be afforded to the Northern Section for equity of consideration.
22. Your Petitioners aver that if this proposal is to proceed as a world class railway then the mitigation and compensation should reflect this.

Your Petitioners therefore prays to you Honorable House that the Bill may not be allowed to pass into law as it now stands and that we 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 other such clauses, amendments or provisions as may be necessary or expedient for her protection, or that such other relief may be given to your Petitioners as your Honorable House may deem meet.

And Your Petitioners will ever pray.

Signed.....

Signed.....

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PETITION OF ALLAN VICTOR HEWITT (1) AND MARGARET HEWITT (2)

Against the Bill - On Merits - By Counsel &c

CONTACT DETAILS OF AGENT:

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