

PETITION AGAINST A PRIVATE BILL:

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

0908

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 TIMOTHY BRUCE-DICK AND BELINDA BRUCE-DICK

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 of 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. Your Petitioners Timothy and Belinda Bruce-Dick, of 114 Albert Street, London NW1 7NE, live with their student grandson in this early Victorian house which we have been painstakingly restoring for over 40 years.

The lower ground floor is a self contained flat housing three local workers. The whole house is listed grade 2 as are the 38 other houses and a well preserved Victorian Pub [The Spread Eagle] and approximately 30 self contained flats in this section of the street. It is proposed in the draft bill to compulsory purchase our vaults [cellars] under the pavement; we have also received a letter suggesting the vaults may be compulsory purchased. These vaults are much-used and an integral part of the dwelling and are within the listed building curtilage. One of our vaults is used as a utility room for the self contained flat with washing machines etc. The other two vaults are used for much needed storage and dustbins.

Also the bill suggests the use of the street for heavy goods vehicles for the duration of the construction works [10 years]. The north end of Albert Street [between Delancey Street and Parkway] is a wide, quiet residential street at the moment, with approximately 10-20 vehicles passing every hour. It is approximately 100 meters from the proposed tunneling works. The Street is one of the very few intact streets representing Camden Town's Victorian Heritage, and the whole street is listed. In addition there are some very fine mature Plain Trees planted in the Street itself which lend a special elegance to the Street.

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

9. Firstly, it is not clear in the bill what HS2 Ltd propose to use the vaults for; the language used is unclear and vague. It does not say why they need to use Albert Street at all. It is unfair that we suffer blight as the result of these vague suggestions. Schedule 12 Section 9 makes no sense: it refers vaguely to 'Powers to use subsoil and acquire land'. Your Petitioners are fearful that such works may adversely affect the Plain Trees referred to above.

Secondly, The noise of the heavy goods vehicles using the street will certainly lead to severe sleep deprivation for Your Petitioner [we are both elderly], and our tenants.

Thirdly, The air pollution arising from these HGVs will cause considerable health concerns for us and the other residents bearing in mind that the pollution in Camden is already above EEC permitted levels. It is expected the project will last 10 years and the air pollution during this period will certainly affect residents' health.

Fourthly, The vibrations caused by the HGVs may well seriously affect the structure of these buildings which are over 160 years old. They have no proper foundations and are mostly constructed of bricks and weak lime mortar meaning that damage can easily be caused by vibrations; this may well lead to large insurance claims which the Government will have to pay. Such damage will cause much distress to Your Petitioners and other residents in the street.

10. Your Petitioners object to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submit that the Bill should be amended or undertakings should be required so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works by considering their cumulative impacts on communities. And they need to suggest necessary changes from the results of that review before works design and construction strategies have been finalised or construction contractors employed.

Specifically we petition that the North End of Albert Street [between Delancey Street and Parkway] should be removed from the bill for the reasons given above.

11. 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.

Signed Timothy Bruce-Dick

Signed Belinda Bruce-Dick

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