

**HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL  
PETITION**

**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 MARIAN & IVOR KAMLISH  
SHEWETH as follows:-**

- **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 Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes”**
- **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.**
- **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.**
- **Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.**
- **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.**

- **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.**

### **About your Petitioners**

Although currently still relatively fit and healthy, both of your Petitioners are now in their 80s and given the uncertainty regarding the future of Euston Station, by the time HS2 is up and running, your Petitioners will be in no position to benefit from this new high speed line. Therefore, your Petitioners concerns relate to the manner and means by which the Promoter is currently proposing to deliver this elephantine project.

For the past 18 years your Petitioners have lived contentedly within a few metres of the Euston Throat in flat 5 Nash House, Park Village East. Prior to this your Petitioners' family lived for 35 years in a house in nearby Camden Town. Both of your Petitioners take an active part in the local community, and serve on a variety of Committees concerned with environmental issues e.g. The Camden Civic Society, The Regent's Park Conservation Area Advisory Committee and The Friends of Regent's Park & Primrose Hill

As both of your Petitioners work from home, one as a graphic designer, the other as a local historian, the peace and tranquillity afforded to your Petitioners in Park Village East is of prime importance and much valued.

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

### **The Euston Throat and Park Village East**

Your Petitioners appreciate that a site visit by Honourable Members of the Select Committee is out of the question, and because at this stage of the petitioning process pictorial evidence is not permitted, your Petitioners humbly request that prior to reading any further, Honourable Members have at hand the following documents. *London-West Midlands Environmental Statement Volume 2-Map books, CFA1 Euston-Station and Approach.* and *London-West Midlands Environmental Statement Volume 2-Community Forum Area report CFA1 Euston-Station and Approach.*

In Map book CFA1, map CT-05-001 shows the constructions phase of the proposed scheme with regard to the Euston Throat, an area 700m long and 70m wide, is bounded at one end by Parkway, and at the other by Granby Street, which bridges the railway. This cutting is lined on the east by Mornington Terrace, and on the west by Park Village East, which itself backs onto Park Village. Conceived in the 1820s by John Nash, the creator of Regent's Park, as a *rus in urbe*, Park Village East consists of a variety of named Grade II\* 'cottages', (now numbered 2-16 and 22-36), built in the early 1830s. Numbers 18 and 20 were damaged by enemy action in WW2 and in 1961 and Nash House, a small block of 8 flats, was built on this site. Your Petitioners are Crown tenants whose lease expires in 2060.

Due to the depth of the Euston Throat and the luxurious 'plantations' which exceed the height of the retaining railway wall, the sound of the trains is minimal. A sound monitor installed on the terrace at the rear of flat 5 Nash House during 4 days in June 2013 concluded that this was a 'fairly peaceful area' and that the 'primary noise source' was 'trees rustling in the wind'. As your Petitioner is penning this, (Sunday 18 May 2014) the sun is shining, the door to the terrace wide open, and the only sounds to be heard are a blackbird in full song, and the cooing of numerous woodpigeons, a clear sign that Nash's vision still persists to this day. Therefore, your Petitioners wish to express their concern that the Promoter has entirely failed to recognize both the significance and the special character of this unique and historic corner of London.

### **The nature and timescale of the proposed works within and without the Euston Throat**

Volume 2 of the Community Forum Area Report, (pages 55 to 61) show works to be undertaken by the Promoter between 2015-2026. These include the diversion of a sewer and ring main, track realignment, bridge and wall demolitions, bridge and wall rebuilding, installation of satellite compounds, barrettes, pile-driving, reinforcements, and the construction of a Head House and associated auto transformer station abutting the former indoor riding school, the nature of these works necessitating the closure of the roadway in Park Village East for a period of 4 years. 24-hour, seven-day-a-week working will also be the norm to allow the existing classic lines to remain operational. The Zoo's coach park, situated at the top of Park Village East in Parkway, will be commandeered for use as an holding area for the unknown number of HGVs required to remove spoil and bring materials to the site. The loss of access to their car for a four year period is understandably of some concern to your Petitioners as is the prospect of HGVs trundling day & night down Park Village East in order to service the 5 satellite compounds in the immediate vicinity, but in addition, as a former primary school teacher, your Petitioner is also concerned that, from 2018 until the completion of this project, children living outside of London will be unable to visit the Zoo, due to this coach park being full of lorries coming and going. All in all, your Petitioners believe that the disruption, noise, dust and dirt HS2 will cause, far exceeds the disruption caused by the building of the original line in 1836, when picks & shovels, and carts & horses were employed, rather than mechanical diggers, pile-drivers and HGVs.

### **Environmental and other Concerns**

Your Petitioners are by nature optimistic, but the perfunctory manner in which your Petitioners', and other Petitioners', carefully considered responses to the Promoter's Environmental Statement were summarised by the Independent Assessor, has greatly depressed them. Similarly depressing is the Promoter's proposal to replace the current dense and vibrant 'plantation' which runs down the entire length of Park Village East with a concrete plant trough unable to support so much as a single pansy as this would soon expire from lack of irrigation.

24-working for 7-days-a-week, year on year, in order that Network Rail's classic lines can remain open for business, is simply unsustainable. (Your Petitioners are confused as to whether the Human Rights Act applies to UK citizens living in the UK or only to foreign nationals facing deportation who wish to remain here). Honourable Members of the Select Committee will also have been made aware that nowhere else along the entire route of this high speed line are

residents being expected to put up with this degree of disruption. Your Petitioners have also been informed, by a senior figure in the construction industry, that what residents on both sides of the Euston Throat will be experiencing is unprecedented in the construction industry.

### **Mitigation**

In light of the Higgins Report (HS2 plus) and the consequent uncertainty surrounding Euston Station, which may now not be able to act as the main London Terminal for HS2 until 2034, your Petitioners beg to put forward the following proposal:

As Old Oak Common is already earmarked to become an Interchange Station, it could also act as a temporary Terminus as well as the Main Compound for the entire construction process. This brown-field site could be the starting point for tunnelling to Birmingham with spoil being returned, via the tunnel, to Old Oak Common prior to being taken by rail to the Thames where barges could convey it to a suitable location in the Estuary to form a new nature reserve. All construction materials should also arrive at the site in this manner. In order that residents in the vicinity of Old Oak Common suffer as little disruption as possible HGVs would be prohibited from operating. Once the tunnel to Birmingham was complete Old Oak Common could then act as the temporary London Terminus for HS2, with passengers wishing to travel onto Euston using the classic lines already in existence.

If, at a later date, it was deemed imperative that Euston becomes HS2's London Terminus, in order to minimise the disruption this would cause a very deep tunnel, avoiding all sewers on the way, should be built from Old Oak Common right into the station. The footprint of the current station should remain in place and a double, or triple deck down (like in Antwerp) station should be built at Euston, with the lowest deck reserved for HS2. This would eliminate the disruption proposed for the Euston Throat, mean that hundreds units social housing would not need to be demolished, and that St James's Gardens, and Cardington Street, with its avenue a mature trees and popular hotels, would remain undisturbed.

Your Petitioners are fully aware that, for reasons of health and safety, Head Houses are required every 2-3 kilometres along the route to service the tunnels. However, the current locations of these Head Houses would need to be amended, and as Park Village East is only 850m from Euston Station this particular Head House could be eliminated entirely.

### **Compensation**

In 1999 Rail-Track paid each affected household £300 compensation for work taking place within the Euston Throat for 3 days over the Christmas period. A generous gesture much appreciated by your Petitioners. Your Petitioners therefore fail to comprehend that currently only those living outside the M25 will receive any sort of compensation. This clearly is unjust, and your Petitioners trust that this wrong will be righted by Honourable Members.

## **Conclusion**

Your Petitioners humbly beseech Honourable Members to instruct the Promoter to go back to the drawing board, taking into account the words of the late philosopher and engineer Sir Ove Arup (1895-1988), the founder of the firm that still bears his name, "*What should our designs try to achieve? We must take a critical look at the brief, make it more comprehensive. We must look beyond the narrow object and ask ourselves: What will be the ecological consequences?*"

- **For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, should not be allowed to pass into law.**
- **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 Petitioners in the premises as your Honourable House shall deem meet.**

**AND your Petitioners will ever pray, &c.**

**Signed Marian Kamlish**

**Signed Ivor Kamlish**

**IN PARLIAMENT  
HOUSE OF COMMONS SESSION 2013-14**

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**Marian Kamlish  
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