

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013–14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION

Against the Bill - 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 (1) MARIE O'SHEA, (2) JOSEPH CRONIN, (3) SANDRA
TRAYTE, (4) BRENDA CAMPBELL, (5) ZAMZAM ALI, (6) JANE WARREN, (7) WILLIAM
PAYNE**

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 are residents of Dalehead on Ampthill Square Estate (hereinafter referred to as 'the Estate')
 - i. Your first Petitioner is MARIE O'SHEA. Ms. O'Shea has lived in Dalehead for 32 years and considers HS2 plans for Ampthill Square incredible. Stress is already affecting her wellbeing and she is constantly upset. Ms. O'Shea is now retired with two chronic conditions and her retirement years will be decimated by the advent of HS2. Knowing she will have to keep her windows shut because of noise and dust in hot, warm weather she feels is inhumane and she is terrified of vermin 'running alive'. She can see nothing of benefit to the community from HS2. Ms. O'Shea has an 85 year old mother living nearby in Harrington Street on Regents Park who needs daily help. Currently, should a crisis occur, Ms O'Shea is able to reach her mother in five minutes by using Granby Terrace Bridge and is extremely anxious about swift access to assist her mother once the bridge is demolished.
 - ii. Your second Petitioner is JOSEPH CRONIN. Mr. Cronin has been a resident of Dalehead for 13 years. Following the disruption experienced by residents during the recent regeneration he feels that the dust and pollution that were prevalent for the duration of the works will seem 'like a picnic' when HS2 work commences and the community having only had a few years of peace and quiet in between. He is due to retire soon and the thought of living in his home with the proposed HS2 construction leaves him distraught. He has arthritic problems that affect his mobility and is concerned about how he will manage the extra walking that will be required due to the loss of bridges and diversions of buses as well as simply crossing the Estate. He feels that HS2 need to 'take a look' at its proposals and show more appreciation of those they will affect.
 - iii. Your third Petitioner is SANDRA TRAYTE. Mrs. Trayte and her husband moved into Dalehead 32 years ago and have been happy living there. Mr. Trayte passed away last year and she currently lives alone. She has recently been diagnosed with cancer, has undergone major surgery and is about to commence 6 months of chemotherapy. She also suffers constant pain from arthritis in her knees. She worries about the ramifications of HS2 construction and doesn't want to leave her home.

- iv. Your fourth petitioner is BRENDA CAMPBELL who has lived happily as a single parent in her Dalehead home for 19 years. Her 22 year old son living at home has Special Needs and a mental age of between 6 and 7 years. She also cares for her brother who is wheelchair-bound and who suffers from Bronchitis and Asthma. She is blind in one eye. She does not know how her son will cope as he is ultra-sensitive to noise. She is concerned that air pollution and dust will exacerbate her brother's respiratory conditions.
 - v. Your fifth Petitioner is ZAMZAM ALI. Mr and Mrs Ali have lived in Dalehead approximately 3-4 years. She has two sons and a daughter all under 10. The youngest son who is 2 years old suffers with bronchial problems.
 - vi. Your sixth and seventh Petitioners are JANE WARREN and WILLIAM PAYNE who have lived in Dalehead about 30 years and have two adult sons, one of whom still lives at home.
8. Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
 9. Your Petitioners are residents of Dalehead which is one of the three 21-storey tower blocks situated within the Estate. Its location is in close proximity to Hampstead Road Bridge and Granby Terrace Bridge over the railway cutting and approach to Euston which makes them particularly vulnerable to noise, dust, vibrations and air pollution mentioned elsewhere within this petition.
 10. As residents living on the Estate, your Petitioners are members of the Amptill Square Tenants and Residents Association (hereinafter referred to as the 'TRA'). Your Petitioners fully endorse the content, arguments and mitigation suggestions set out within the Petition submitted to your Honourable House by our Chair, Frances Heron, on behalf of all residents.
 11. In addition, the close proximity to the bridge demolitions and approach to Euston Station, the insertion of ground anchors beneath Gillfoot tower block makes your Petitioners particularly vulnerable to noise, dust, air pollution and vibrations.
 12. Hampstead Road Bridge carries the A4000 six-line arterial road the span of which is to be more than doubled as part of the construction works and its road level raised by some 4 metres which will cause some six years of disruption, traffic congestion and diversions. Granby Terrace Bridge meets the northern end of Hampstead Road Bridge at a junction with Hampstead Road which also crosses the railway is scheduled for demolition and is one of the few east/west links across the tracks between Euston Station and Parkway. Mornington Terrace Bridge being the only other link south of Parkway will also be demolished.

13. During construction works both Hampstead Road Bridge and Granby Terrace Bridge will be demolished. Granby Terrace Bridge will not be replaced in its current alignment. After three years a bridge replacement will cater only for construction traffic and there will specifically be no pedestrian or cycle access for an unspecified duration
14. Hampstead Road is one of the significant number of roads in the area identified as an HGV route for removing waste and spoil from the railway and deliveries of materials to and from the many construction compound. The main construction compound will be located in and cover much of St James Gardens which is also located on Hampstead Road.
15. As a direct result of bridge demolition and road diversions, access to east/west routes to and from Regents Park Estate and other communities in Park Village across to Somers Town and Camden High Street will be severely impacted causing significant diversions and particular difficulties for pedestrians and cyclists forced to make quite lengthy detours in some cases.
16. Additional diversions/detours will be necessary due to the huge construction compound planned along a significant length of Hampstead Road south of the bridge and extending west into the heart of Regents Park.
17. Access to the Estate is likely to be adversely impacted for the duration of the construction works. It is uncertain what will be the permanent implications for access to our homes as a result of the raised level of Hampstead Road Bridge.
18. Your Petitioners are particularly concerned regarding an exacerbation of health risks from pests, such as colonies of rats, disturbed by demolition, excavation and construction.
19. In combination, your Petitioners are fearful of the impacts and duration of construction works on their health, both physical and mental, and their general well-being. HS2 Ltd concur that the extent of the cumulative impacts on Dalehead residents are significant
20. Your Petitioners fear significant adverse impacts of many years duration over the construction period which is now mooted to be for an eighteen year period.
21. HS2 Ltd have completely failed to adequately assess the cumulative impact of the construction works on our community many of which are injurious to the health and wellbeing of your Petitioners and the duration and proximity of such impacts will greatly increase the associated health risks. Individuals who are prone to respiratory disease are at significant risk of exacerbation of ill health.
22. The Environmental Statement was premised on duration of construction works being carried out between 2016 to 2026. HS2 Ltd now suggests that this is more

likely to be extended further from 2016 to 2034 with consequent severe disruption over eighteen years.

Mitigation Measures during the Construction Phase

23. Noise, dust, air pollution and vibration levels must not breach agreed values and must be independently monitored. Any breaches to agreed protocols should attract appropriate financial penalties and persistent breaches should require cessation of works until satisfactory resolution has been achieved.
24. Until such time as we experience the cumulative impacts that have been identified, it is difficult to assess just how damaging they will be.
25. It is unreasonable to expect residents to keep their windows closed for long periods of time especially in hot weather when the sun beats down on the large expanse of window areas. The large picture windows is one of the most precious features of our homes in normal times. Keeping windows closed in those circumstances would cause interior temperatures within our homes to rocket and would prove injurious to health. Adequate measures including air filtration must be installed as part of a package of mitigation measures.
26. At this time it is impossible to assess whether adequate mitigation measures can be provided to ensure a decent quality of life for residents and it may prove impossible to mitigate the multiple adverse impacts thus rendering our homes uninhabitable for many years during construction. Should this transpire suitable settled accommodation agreed individually with residents and commensurate with their requirements should be made available locally for the duration of the construction period if residents so wish. Any resident displaced must be provided with a guaranteed return to their Dalehead home once it returns to habitability.
27. Your Petitioners ask this Honourable House to require the Promoters to monitor the current level of noise, air and dust pollution. Throughout the construction phase, further surveys should be commissioned to monitor the adverse effects of the construction works. Your Petitioners would wish to be involved, together with Camden Council, in agreeing the methodology for these surveys.
28. Your Petitioners request your Honourable House to require the Promoters in addition to those measures referred to above to implement the following mitigation measures, all of which are essential to health and wellbeing of your Petitioners
 - i. Emergency access is of paramount importance and must not be compromised by any obstruction that will increase call-out times to incidents.
 - ii. The Promoter must provide an adequate pedestrian route across the railway for pedestrians and cyclists to replace the loss of Granby Terrace Bridge.

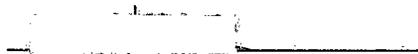
- iii. Prevent the use of HS2-generated HGV traffic during peak periods.
- iv. Minimise adverse effects from the thousands of journeys by HGVs along many roads across Camden, by using rail as the default mode of transit. A specific case for using roads rather than rail must be made rather than the seemingly irrational plan to ignore the railway as the best means possible of effectively moving materials in and out of the Euston rail terminus during construction.
- v. Ensure measures are identified within an effective Pest Control Management Plan agreed by LB Camden and that such a plan is strictly adhered to in order to prevent spread of vermin and disease
- vi. Safe routes across the Estate must be maintained
- vii. Given the difficulties that will be experienced by the elderly and those with mobility problems, HS2 Ltd should provide a regular Courtesy Bus to assist residents to go about their daily tasks.
- viii. Children too will experience similar problems and additional risks walking to and from school, there being a large cohort of children who travel from Regents Park to the schools in Somers Town. HS2 Ltd should provide suitable transport for safe transit to and from school.
- ix. HS2 Ltd must work with TfL to mitigate delays and diversions to buses and ensure that new bus stops are provided at regular intervals along diversionary routes and that adequate sign-posting is used during any diversionary periods
- x. The intention to locate a bus stand at the junction of Eversholt Street and Barnby Street will add to the risk of accidents. This junction is one regularly used by school children going to and from school. Such a location would also generate more unnecessary traffic along the already congested Eversholt Street and add to fuel consumption

There are other clauses and provisions in 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 themselves, 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.

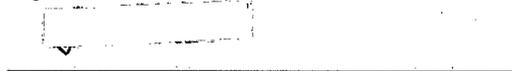
AND Your Petitioners will ever pray, &c.

Signed:



Marie O'Shea, the First Petitioner

Signed:



Joseph Cronin, the Second Petitioner

Signed:



Sandra Trayte, the Third Petitioner

Signed:



Brenda Campbell, the Fourth Petitioner

Signed:



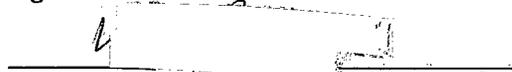
Zamzam Ali, the Fifth Petitioner

Signed:



Jane Warren, the Sixth Petitioner

Signed:



William Payne, the Seventh Petitioner

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AGAINST, by Counsel, &c

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PETITION OF MARIE O'SHEA

AGAINST, by Counsel, &c

MARIE O'SHEA

[Signature]

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