

**PETITION AGAINST A PRIVATE BILL**

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013–14

**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 JOLIL SHAH & NADIA SHAH**

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 authorized 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 live at flat 5, Mickledore, Amptill Square, London NW1 2JX. Their flat is only 35 metres from the construction site and 20 metres from the construction traffic route. Your petitioners have lived in 5 Mickledore since 1999 and are bringing up their family here. In 1999 they bought the lease from the seller who had exercised their right to buy. They have 100 years remaining on their lease.

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

9. Your petitioners have been very worried about the HS2 scheme since it was announced in mid-2010 and the way it will affect their young family and elderly mother. Your petitioners have three children two girls aged 14 years and a boy aged 4 years. The daughters have severe eczema and the construction pollution will test if it is feasible for them to live so close to the development. The son has had a number of medical issues including sleeping problems. The proposed enduring noise will make it difficult for him to sleep.

10. Your petitioners are carers for the petitioners elderly mother aged 65 years who has long term depression and is of a very physically weak disposition. Carer support will be difficult to sustain as there will be greater difficulty negotiating wheelchair access in and around the vicinity.

11. The petitioners daughters go to Maria Fidelis secondary school which will be demolished as planned for HS2. A new site is yet to be found and constructed. This uncertainty is causing anxiety for your petitioners. The petitioners daughters are in year 9 and will be in year 11 the year they take their GCSE's when the construction is planned to begin. The noise, construction pollution and disruption to their school will affect their results and their life chances.

12. Your petitioners will not be able to afford alternative accommodation for even a short period while the work on HS2 is underway.

13. Because your petitioners' building is as close as physically possible to the proposed works without demolition, they will be directly and specially affected by the noise and disruption of the demolition and construction works inherent in the scheme; this will often take place over 24 hours, 7 days a week, on and off over a eleven year period.

Your petitioners family will be subjected to;

- a) Substantial construction traffic.
- b) Longer routes in and out of their homes.

- c) Substantial dust emissions.
- d) Inconveniences of utility works near their building.
- e) Loss of utility services.
- f) Substantial prolonged increase in noise pollution.
- g) Increases in nitrogen dioxide concentration produced by vehicle engines due to traffic diversions and road closures.
- h) Substantial infestation by vermin that these works will bring about.
- i) Exposed to views of demolition of the Royal mail NW1 delivery office ( direct and close). Background views of the demolition of the block in the Regents Park Estate and construction compounds at Hampstead Road bridge approach (direct and close).
- j) Higher service and maintenance bills issued by the Landlord (Camden Council) to deal with the construction work and points raised above.
- k) A depreciation in value of their home at a time when property prices and rents have increased substantially.

14. In the long run, your Petitioners are very concerned that the noise of the new railway operating almost directly adjacent to their building will continue to cause stress and sleeplessness, and on top of this understand there is to be much new building construction, and greatly increased road traffic.

15. Your Petitioners also requests that the committee take into account the great stress of the present uncertainty regarding the Euston area. In reality, residents now have no real idea of when the work will begin, what it will consist of, and when it will finish.

16. Your petitioners do not believe that the scheme as represented by the Bill constitutes the best solution for the Euston area. There are other solutions, some of them worked out now in great detail by volunteers, which would involve much less demolition and destruction of communities. Your Petitioner requests that you urgently consider these alternative schemes, in order of preference:

That the HS2 trains only come to Euston in a tunnel -

This could be a tunnel below the existing tracks which would form a new underground terminus at Euston. Or it could be a tunnel arriving at Euston from the west rather than the north; this tunnel would lead to an underground interchange station between Euston and St. Pancras with trains continuing eastward in a tunnel to Stratford and HS1; such a station could be shared with the planned Crossrail 2.

That the Double Deck Down scheme is adopted -

This envisages the new tracks running directly under the present classic tracks to come into Euston at a lower level. This is very economic of space; it presumes the rebuilding of Euston Station but does not need the line or station to extend to either side.

That the Euston Cross scheme is adopted -

This is the Scheme, proposed by Lords Berkeley and Bradshaw, would see the HS2 trains coming into Camden along what are currently the classic tracks and arriving at Euston near ground level. The capacity for the HS2 trains at Euston would be created by diverting local services via Crossrail 1.

That High Speed UK's "Interconnector" scheme is adopted -

Developed by independent railway experts, this is similar to the Euston Cross scheme in that it would use the existing classic tracks to bring trains into Euston. Allowing good opportunities for interchange before reaching central London, this scheme would ensure fewer passengers arriving at Euston and so putting less stress on the local transport system.

17. If the threat of HS2 did not exist, your Petitioners would be very content living on Camden's Amptill Square estate, an area of well-spaced, well-constructed blocks of flats in good condition, surrounded by mature trees and planted shrubs and flowers, and in general very peaceful. For these reasons, and because of the closeness of public transport, local shops, Regent's Park itself and central London, they had not been planning to move and would have been looking forward to spending the rest of their lives here, in their own home and neighbourhood.

18. Your Petitioners respectfully request that the Committee of your Honourable House visit their flat in Mickledore and the Amptill Square Estate in general, to see the nature of the area and assess the magnitude of the effect which HS2's proposed works will have.

19. If Parliament nevertheless decides that the HS2 railway should go ahead as currently planned, they request that the following mitigation measures be put in place:

- a) sound barrier around the site,
- b) soundproofing for their own flat and building (Mickledore),
- c) ventilation installed if windows cannot be opened for long periods.
- d) measures to reduce dust and other pollution, and the avoidance of all unnecessary road traffic.

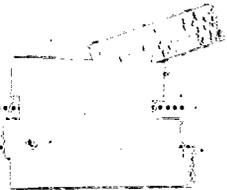
20. Your Petitioners' intention would be to remain in their flat but they cannot be certain of the extent to which this will negatively impact their families future and health, and so may well want to sell their property to HS2. They fervently request that the present highly unfair treatment of Camden residents by HS2 as regards compensation be recognised by the committee and that they and their neighbours are granted access to all the voluntary compensation schemes currently offered to country dwellers, including the "Voluntary Purchase" and the "Homeowner Payment" schemes .

21. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and her 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 Petitioner 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 Petitioner will ever pray, &c.

signed Jolil Shah.....  
Nadia Shah..



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**AGAINST, By Counsel, &c.**

**Mr Jolil Shah & Mrs Nadia Shah,**

