

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 Michèle Hannoosh and Richard Janko

SHEWETH as follows:-

- 1 A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House intituled “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 (“the Authorised Works”) are specified in clauses 1 and 2 of and Schedule 1 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 the Bill.

7 Your Petitioners are a married couple who have been since October 2002 the freehold owners and occupiers of flat 5A Fellows Road, London NW3 3LR. Every aspect of their daily existence at this property — living, sleeping, shopping, going to libraries at St Pancras and Bloomsbury where they conduct research for their work, using the Adelaide Nature Reserve, Primrose Hill, Regent’s Park and Hampstead Heath for leisure — will be very negatively affected by the proposed construction of HS2.

Your Petitioners’ property lies on a road designated in the Environmental Statement as ‘potentially required during construction’.

Their property lies on a road in an area for which the Environmental Statement acknowledges a ‘major adverse effect’ (p. 140) of access to all the roads.

Their property is very close to two major construction compounds (Regent’s Park Rd bridge and the Adelaide Rd vent shaft) and extremely close to the projected Adelaide Rd vent shaft.

The road on which their property is located lies within a zone that will be surrounded on all sides by the construction route (Adelaide Rd, Haverstock Hill, England’s Lane, Primrose Hill Rd), estimated by HS2 Ltd to involve 100 HGVs per day.

The road on which their property is located joins Adelaide Rd, one of the roads adjacent to the HS2 line and to be used for major construction traffic and works.

Your Petitioners’ property lies within the area shown in the Environmental Statement to be within the zone of visibility, and an area which will be affected by noise, dirt, dust, air and light pollution, vibrations, traffic congestion, construction traffic, road closures and traffic rerouting, cranes, hoardings and other elements of urban blight from the construction of HS2.

Their property is on a road designated to undergo works for a sewer due to HS2, for which the hybrid bill would allow access from the ground level. Their property lies immediately outside the 60 metre band and is thus not eligible for compensation.

Your Petitioners do not own a car and are regular users of roads in which, according to the Environmental Statement, ‘changes in traffic flows will affect non-motorised users, making it more difficult to cross the road’ (p. 143): Adelaide Rd, Regent’s Park Rd, Haverstock Hill, England’s Lane, Primrose Hill Rd, Fellows Rd, Winchester Rd, Chalk Farm Rd, Gloucester Avenue, Prince Albert Rd and Avenue Rd.

Your Petitioners expect to retire in 2019, from which time they will be at home day and night throughout the period of the construction.

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 deeply concerned about the negative and dangerous effects of the long construction period, estimated to be between seven and (where views and vegetation are concerned) fifteen years, on their property, health and way of life, namely:
- a. Your Petitioners' property will be entirely enclosed within a ring of roads which will be used for construction and from which, according to the Environmental Statement, it will be difficult for pedestrians even to exit. Every aspect of their lives will thus be negatively affected: living, sleeping, shopping, getting to the tube or bus, walking to the British Library where they conduct research, accessing Regent's canal to get to King's Cross, St Pancras and Paddington stations and every other activity which involves either staying at home or leaving it to go elsewhere.
  - b. Your Petitioners will be subject to noise, air pollution, vibrations (especially noticeable in their flat, which is in the basement) and dust, which will negatively affect their health and quality of life. As works are scheduled to be carried out Monday-Friday 8 am-6 pm and Saturdays 8 am-1 pm, there will be little relief for your Petitioners from the noise, vibrations and traffic, and no relief from air pollution and dust.
  - c. Your Petitioners will be subject to potential dangers from the construction site at the Adelaide Rd vent shaft, where fuel is to be stored.
  - d. Your Petitioners will be subject to increased traffic not only from construction works (100 HGVs per day), but also from construction workers coming to the two sites close to their property. Provision to 'encourage use of public transport by project staff' is vague and inadequate.
  - e. Your Petitioners' property will be subject to potentially damaging vibrations and/or subsidence for which no provision has been made by HS2 Ltd.
  - f. Your Petitioners' property will be unlivable for the duration of the works. It will also be unsaleable and unlettable, so there will be no escape for your Petitioners from the negative and harmful effects of the construction.
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. Your Petitioners respectfully suggest that the Secretary of State and the Nominated Undertaker should propose necessary changes from the results of that review before works design and construction strategies have been finalised or construction contractors employed.
- In particular, your Petitioners respectfully request:
- a. that the route of the proposed HS2 be revised to avoid the heavy concentration of construction works in and around the road on which their property is located, notably by following the 'Euston Cross' proposal put forward by the noble Lords Bradshaw and Berkeley, in which two tunnels would run from Old Oak Common, via Queens Park station, then under Regents Park to a new east-west deep station (Euston Cross) under the

Northern ends of Euston, St Pancras and Kings Cross stations, thus avoiding most of the residential and business areas affected by the current proposal, including your Petitioners' property; or by locating the London terminus of HS2 at Old Oak Common;

b. that, if the current route be maintained, the location of the Adelaide Rd ventilation shaft be moved to an area without a high concentration of residential and business properties;

c. that, if neither of proposals (a) or (b) be accepted and the Bill go ahead, the 60 metre band for compensation be extended to include your Petitioners' property, which will otherwise suffer the highly negative effects for many years, and that they be compensated at the full market rate.

d. that, should the Bill go ahead, all spoil be removed from the area of your Petitioners' property entirely by rail rather than road

e. that, if the Bill go ahead, there should be binding measures on HS2 or the Nominated Undertaker, enforceable by the local Council, relating to noise, dust, vibration, air pollution, subsidence and fuel storage, and that any damage be fully compensated by HS2 or the Nominated Undertaker. Your Petitioners respectfully submit that, in the case of vibration and subsidence, specific measures be taken to assess the long-term effect of construction and operation of the projected railway on properties, and appropriate compensation paid for any damage. They further request that the Council be provided with adequate funding for monitoring these impacts.

f. that, if the Bill go ahead, HS2 or the Nominated Undertaker assume responsibility for the reimbursement of your Petitioners for additional expense caused by dust, dirt and any other damage caused to their property by the proposed works.

- 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) \_\_\_\_\_ (Signed) \_\_\_\_\_

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL  
(LONDON-WEST MIDLANDS)  
BILL

PETITION OF Michèle Hannoosh and Richard  
Janko

AGAINST, By Counsel, &c.  
Armand D'Angour  
36 Willoughby Road  
London NW3 1RU