

**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 PETER CUNDALL**

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 Petitioner Peter Cundall, of 110 Albert Street, London NW1 7NE, together with various members of his family, has lived in and maintained this early Victorian house for 42 years.

The house is listed grade 2 as are the overwhelming majority of the other houses in this, the Northern section of Albert Street, which also includes a well preserved Victorian Pub. These buildings are also all within a conservation area. It is proposed in the draft bill to compulsorily purchase the vaults [cellars] under the pavement and I, have also received a letter suggesting the vaults may be compulsorily purchased. These vaults are much-used, are an integral part of the dwelling and are within the listed building curtilage. Dustbins are stored in the vaults. If stored elsewhere they will cause either an unsafe obstruction by the basement exit or an unsafe obstruction and eyesore on the pavement.

Also the bill suggests the use of the street for heavy goods vehicles for 10 years - the duration of the construction works. This, the North end of Albert Street [between Delancey Street and Parkway], is an unusually quiet residential street with several attractive plane trees and very little through traffic – perhaps an average of no more than 10 – 20 vehicles an hour during the day. It is approximately 100 meters from the proposed tunneling works. Yet the street is one of the very few intact streets representing Camden Town's Victorian Heritage, and the overwhelming majority of the street is listed.

8. Your Petitioner and his 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 Limited proposes 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.

Secondly, the air pollution arising from these HGVs will cause considerable health concerns for me and the other residents. 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. I am 75 and whatever my remaining life expectancy this increased pollution is likely to reduce it. My second grandchild was born just over a week ago and I would like to see more of him, not less.

Thirdly, the vibrations caused by the HGVs may well seriously affect the structure of

these buildings which are at least over 150 years old. They have no proper foundations and are mostly constructed of bricks and a weak lime mortar easily damaged by vibration. This may well lead to large insurance claims which the Government will have to pay. Such damage will cause much distress to Your Petitioner and other residents in the street.

Fourthly, the noise of the heavy goods vehicles using the street will certainly lead to severe sleep deprivation for Your Petitioner.

Fifthly, Your Petitioner is concerned that such works may adversely affect the plane trees referred to above.

10. Your Petitioner objects 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. 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 Peter Cundall

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AGAINST &c

