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IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013–14

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 Edward and Mary Burd, of 100 Albert Street NW1 7NE

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 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 live at 100 Albert Street NW1 7NE, and have done so since 1966, having previously lived in Gloucester Avenue nearby. They are both pensioners, one of them having worked in the NHS in the East end of London, and the other having run an architectural practice in neighbouring Parkway from 1972 to retirement in 1998. Their daughter was brought up here, and went to the local primary and secondary schools nearby. They consider themselves to be rooted in this area of North London. Their home will not be demolished as a result of the Bill, but it lies some 100 - 150 metres from the works and is thus seriously effected.
8. Your Petitioners and their rights to the quiet enjoyment of their property in their old age, and the property itself, are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.

9. The Petitioners understand that the Bill will allow for construction work that could run for ten to fifteen years at least. They will both by then be in their nineties, and their final years will be severely blighted. Throughout this period they will be subjected to the following grave disturbances and disruptions:
- a. As the Bill will allow for the possibility of 24 hour working, in addition to excessive daytime noise, night time working noise will lead to sleep deprivation to your Petitioners, both Old Age Pensioners.
 - b. Levels of air pollution are already at excessive levels locally, and the works themselves and the traffic serving them will increase these levels to an unacceptable and dangerous high, particularly for elderly residents such as your Petitioners.
 - c. Your Petitioners live in a street of early Victorian (1840s) houses, listed Grade 2, built with no or minimal foundations. The vibration from the works and particularly heavy construction traffic will inevitably cause damage to these houses. apart from their causing general nuisance to your Petitioners.
 - d. The Bill allows for the removal of bridges essential for access from your Petitioners' property to the wider neighbourhood. Access to central London, and to Regent's Park, will become at best difficult, and at worst, impossible.
 - e. The Bill allows for the compulsory purchase of the vaults under the pavement owned by your Petitioners. There are no reasons given for this other than their possible use to run services. These vaults are an integral part of their property, used by them. Any works to them would need to be covered by the listed building legislation.
 - f. The Bill will promote works and constructions of a major infrastructure proposal that has been neither accurately costed, nor for which a sustainable case has been made. In a time of economic stringency, your Petitioners can only reflect on the wisdom of such a move.
10. Your Petitioners would like to propose the following amendments to the Bill to mitigate or remove the deleterious effects on them. Some all or a number of these proposals could be implemented to do so.
- a. A large part of the huge costs being considered is due to the siting of the terminus for the railway at Euston station. Were the main terminus to be located at Old Oak Common, with a simple subsequent link to Euston using the existing network, even if modified accordingly, would reduce costs and avoid all the issues that concern your Petitioners. Additionally, it would regenerate an area badly in need of this sort of investment, provide excellent

links to all of London for travellers from the North, and in particular, give a better connexion to Heathrow than can be afforded via Euston. The statement by David Higgins that Euston is 'a deprived neighbourhood needing regeneration' is blatantly untrue, and shows no knowledge or understanding of the issues at Euston, and is manifestly unworthy of someone in his position. Even if it were true, the need for regeneration at Euston pales into insignificance when compared with Old Oak Common.

- b. The restriction of the delivery of all materials and plant by road would also answer many of your Petitioners anxieties. Noise, vibration and pollution would be much reduced if products delivery to the works were by railway only. This must surely be possible, with a railway line alongside, and although perhaps awkward for the contractor, would be of a very great benefit to the local population. Any such arrangement would need to be closely monitored at all times to ensure compliance, as there will always be a tendency for the contractor to ignore it. Additionally, maximum pollution levels should be established before works commence, and these be similarly monitored. Workable sanctions or penalties in each case should be set and enforced if these are transgressed.
- c. Detailed restrictions on the extent and type of operations permissible at night must be set to safeguard the sleep of residents nearby, such as your Petitioners. Again, this needs to be agreed with the contractor and contract supervisor before works are programmed, on a detailed monthly or similar schedule, and any breaches dealt. This would help mitigate the noise nuisance.
- c. The works should be very carefully programmed to ensure that at least one of the bridges is always operating so that access to the street is always available, both vehicular and pedestrian. Parkway bridge is the most critical as it is already a bottleneck for much traffic; the closure of this should be for as short a time as possible.
- d. The Bill incorporates the compulsory purchase of your Petitioners' basement vaults. No coherent reason for this has been provided. If there is a need to run diverted services along the street, could these not be routed well away from the listed properties, in the middle of the road? This would protect to a degree the listed buildings, retain their integrity, and cause far less disruption. There is additionally in the Bill a quite wrong and inaccurate statement as to the number of listed buildings in the street; the bill states that there are only twelve listed buildings; in fact, there are over sixty.

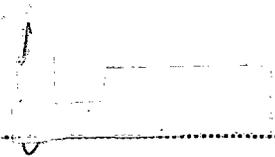
11. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, it should not be allowed to pass into law.

12. 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.

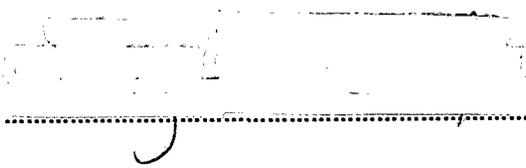
AND your Petitioners will ever pray, &c.

Signed : Laurence Edward Arthur Burd



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Mary Patricia Burd



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PETITION OF Edward and Mary Burd

Against the Bill - On Merits - By Counsel &c

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