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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 FRANCES HERON (known as FRAN)

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.

Ampthill Square Estate

7. Your Petitioner represents all residents living within the Ampthill Square Estate. It is anticipated that this Petition will be complemented by other specially affected individuals and/or groups including leaseholders who live within the Estate and are specially and directly affected by HS2. Your Petitioner has been requested to prepare and present this petition on behalf of Ampthill Tenants and Residents Association whose membership covers all properties lying within the boundary of the Estate and has submitted relevant documentation supporting this assertion.
8. Ampthill Square Estate (hereinafter referred to as "the Estate") is an 'island' site geographically located directly north of and separated from Euston station by Barnby Street its southern boundary. To the east the Estate is bounded by the busy A4200 Eversholt Street which runs for some of its length adjacent to the east side of Euston station. The northern boundary forms part of the London Red Route network for a short length along Lidlington Place/Harrington Square while the western boundary is contiguous with the retaining wall of the railway approach and tracks some 10m below the level of the Estate. The Estate abuts the bridge crossing the railway on the busy 6-lane A400 Hampstead Road which also forms part of the Red Route network and joins Harrington Square to the north to complete the boundary. The geographical location and proximity of the Estate makes it particularly vulnerable to adverse impacts caused by construction of the High Speed Two railway and Euston Station.
9. The original Ampthill Square comprised Victorian Houses within which was situated one of London's old squares. The land was purchased by the London Borough of Camden and the estate was constructed in the 1960s. Many of the original tenants were re-housed from poor quality housing in Somers Town and Queens Crescent areas. A dwindling number of these original tenants tell of their delight when moving to the Estate where they could enjoy the privacy of an internal toilet and luxury of a bathroom.
10. The Estate has three twenty-one storey tower blocks known locally as the 'Three Sisters' topped with easily recognizable blue, red and yellow 'lids'. These comprise eighty two-bedroom flats totaling 240 flats. Six 6-storey marionette blocks comprising three bedroom flats provide a further 84 units while a further 42 units of one and three bedroom flats are accommodated above two commercial units

fronting onto Eversholt Street making a total of 366 housing units. In addition to the two commercial retail units situated under the residential housing in the mixed use block fronting onto Eversholt Street, a further five small commercial units and a purpose build medical centre (now accommodating specialist health services) also lie within the Estate boundary.

11. The community living on the Estate is a multi-ethnic settled and harmonious one with significant cohorts of first and second generation Bangladeshi and Somali families and more latterly families from a number of Eastern European countries are among a much wider ethnic mix living on the Estate. There are large cohorts of pensioners and children, particularly pre-school children
12. Some 80% of households remain secure tenants of the London Borough of Camden. Roughly 18% of households have exercised their Right to Buy or bought their properties from London Borough of Camden leaseholders. The remainder are private tenants of leaseholders.
13. Over a relatively recent two-year period, the London Borough of Camden invested over £20 million in regeneration works that were completed in 2010/11. A full options appraisal assessment concluded regeneration including major refurbishment of flats and environmental works were cost effective and very much supported by residents as the favoured option rather than the alternative demolition option. New central heating, electrical rewiring together with new kitchens were installed in all properties. New lifts and major refurbishment was carried out to communal areas. External lighting across the Estate was upgraded and the entire estate attractively landscaped.. Of particular relevance given a turbulent past history, was the residents' top priority: the installation of a comprehensive security system which included CCTV, security fencing with remote access. This investment, particularly the security and landscaping which is now reaching an attractive state of maturity has transformed the quality of life of those living on the Estate.
14. The Amptill Square community is horrified by plans outlined by HS2 Ltd and the range and duration of significant adverse impacts they face as a result of the decision to terminate HS2 in such a densely populated and congested area of Central London.
15. Your Petitioner considers that the rights, interests, quality of life and in some cases property of Estate residents are injuriously affected by the Bill, to which Your Petitioner object for reasons, amongst others, hereinafter appearing.

Euston Station

16. Your Petitioner understands that the Hybrid Bill is premised on "Option 8". Your Petitioner considers this proposal unacceptable and this 'Cheapskate' option only emerged because HS2 Ltd had underestimated the cost of their Baseline Scheme (Option 1) by £800m (£2bn as opposed to their original estimate of £1.2bn). Your Petitioner considers Option 8 to be 'the worst of all worlds' causing maximum damage to communities in and around Euston Station while providing minimal

opportunity for delivery of much needed affordable homes and employment for local people promised via regeneration of the station which would provide a small 'crumb of comfort' for the decade and more of disruption that cannot properly be mitigated.

17. It now transpires that the Promotor of the Bill intends to abandon the proposals set out in the Hybrid Bill in favour of a "level deck option" as proposed by Sir David Higgins. It is mooted that this option will take longer to construct and cost significantly more than Option 8, both cost and time restrictions being the criteria cited by Mr Secretary McLaughlin for abandoning 'Option 1.
18. Of great concern to your Petitioner is the proposal that the costs of constructing the station will be recouped by allowing untrammled property development above the newly constructed Euston station and 'slabbed over' railway approach and cutting as far north as Parkway. Not only would this add many years of further construction misery but it confuses the principle of 'national need' to build a railway with the desire to generate profit and in so doing totally undermines local democracy and sets a dangerous precedent.
19. Until your Petitioner has better understanding of future proposals, it is difficult to determine precisely what they should be petitioning against.
20. Your Petitioner further understands that it is not possible for Euston Station to cater for onward travel of forecast increased passenger numbers safely without commitment to the further costs of building Crossrail 2 anticipated to be in the region of £15-20bn with unknown consequences for local communities.
21. There has been no attempt by HS2 Ltd to recognize and quantify the cumulative adverse impacts of their plans not limited to but including those on local communities, businesses, travel and amenity nor the cost to the London Borough of Camden and impacts on community charge rates and benefits.
22. If the Promoters of the Bill insist on Euston as the main London terminus for HS2, your Petitioner urges your Honourable House to instruct the Promoter to design a station within the current footprint of Euston station. HS2 Ltd have conspicuously not explored sufficiently in their own designs a plan to restrict expansion outside the confines of Euston Station and have failed to properly appraise such alternatives, including the emerging Double-Deck Down design generated by concerned professionals from within the community.
23. The construction of low-cost housing that is vitally needed and affordable units dedicated for the use of local people to encourage local enterprise should form a significant proportion of any station development. The London Borough of Camden should retain planning control which should not be wrested from it by appeals by vested interests to maximize profit.
24. Ampthill Square TRA is affiliated to the 'Pan Camden HS2 Alliance' (PCHS2A) and the Petitioner fully endorses arguments and reasoning contained in the 'PCHS2A' petition

to your Honourable House [Ref no: 408] and in particular the powerful arguments articulated to locate the southern terminus at Old Oak Common on a temporary or permanent basis and the stress put upon the need to consider Old Oak Common Station and Euston Station as mutually dependent

25. To date, HS2 Ltd have grossly underestimated the cost and practical difficulties of bring HS2 into a densely populated high value area such as Euston. The construction of HS1 into St Pancras station and redevelopment of that station and Kings Cross Stations are not comparable as these were largely constructed from open access to large brown-field sites
26. Given the uncertainty with regard to future plans for Euston Station and proposals for a 'level deck' option which would extend the period of disruption from one to almost two decades and the desire to recoup costs from real estate development that could conceivably last a further decade, your Petition urges your Honourable House to use Old Oak Common as the London terminus, whether on a temporary or a permanent basis, until properly costed and acceptable plans for an alternative London terminus have been devised.
27. While HS2 Ltd deny any intention of using compulsory purchase powers within the Estate, nevertheless your Petitioner would like to draw the attention of your Honourable House to the very significant potential financial losses individual leaseholders on the Estate (and elsewhere) would face should they wish to move and sell their properties. Although it has been impossible to obtain valuation figures from HS2 Ltd, it is believed that losses could be very substantial compared with non-blighted market valuation. It has been mooted that such losses could extend to six-figure sums. It is not manifestly unjust that leaseholders or anyone else impacted by HS2 should face financial loss. If fair compensation cannot be afforded then justice must surely conclude the nation cannot afford to build HS2. Your Petitioner would welcome the intervention of your Honourable House in assessing the individual financial losses that will ensure by commissioning an independent assessment to provide an analysis of the extent to which individuals are being expected (over and above their contribution through taxation to the overall cost of HS2 said to be in the region of an average £3000 per household) the level of additional subsidy being extracted through individual financial loss.
28. The inequity and manifest unfairness in the compensation afforded to rural and urban areas is of great concern and widely held, Your Petitioner asks your Honourable House to consider the inequity of a home-owner residing some 120 metres from the track in a rural area who is entitled to a package of compensation measures while a property owner or tenant living 10 metres away from the cumulative adverse impacts from demolition, excavation and construction of HS2 over a protracted period of perhaps 18 years or more whose compensation entitlement is zero. This is not justice and your Petitioner urges your Honourable House to implore on behalf of seriously impacted persons a suitable package of recompense.

Mitigation Measures during the Construction Phase

29. Your Petitioner fears the extent and duration of multiple adverse impacts resulting directly from the construction of Euston Station and related necessary associated works to railway track within the station approach and cutting as well as the intention to more than double the span and lift by 4 metres the level of the bridge crossing the railway on the A4000 Hampstead Road which is a major north/south arterial 6-lane highway in/out of the West End and to/from destinations north of London.
30. HS2 Ltd have conspicuously failed to properly assess cumulative impacts of demolition, excavation and construction work on local communities. These include, but are not limited to some route-wide impacts, such as noise, vibration, air pollution, road closures/diversions, traffic congestion, removal of waste, HGV traffic levels, Code of Construction Practice and Working Hours. Two tower block (Gillfoot and Dalehead) as well as two maisonette blocks (Stockbeck and Beckfoot) are particularly badly impacted due to their proximity to works which will be only a few metres distant from the residential housing blocks.
31. In addition to generic impacts listed above (30) your Petitioner would draw the attention of your Honourable House to significant adverse impacts that are specific to the Estate. These include, but may not be limited to:
- Access for emergency vehicles and for service and delivery
 - Safe pedestrian routes during construction
 - Satellite construction compound located within the Estate and HGV access
 - Stopping up of Barnby Street
 - Loss of car parking
 - Loss of access to safe pedestrian and cycle routes into, within and across the Estate
 - Loss of amenity during construction; children's play area, multi-use games area, community hall, open space.
 - Potential loss of effective security and remote access for visitors
 - Extent of utility trenching planned
 - Potential accidental damage to underground services, e.g., gas, electric, water, telephony, CCTV, security system
 - Damage to environment including landscaping and trees
 - Pest control and containment of Japanese knotweed
 - Intention to site a bus parking area on the site of the Royal Mail building which is to be demolished
32. The Petitioner reserves the right in the light of expected significant changes to the plans for Euston station to highlight to your Honourable House such changes and implication thereof to the community of Ampthill Square Estate.

33. The Environmental Statement was premised on the duration of works being over a ten year period between 2016 and 2026. The more likely scenarios suggested by HS2 Ltd is that this is likely to be extended for a further eight years to 2034 causing 18 consecutive years of severe disruption.
34. Your Petitioner is greatly exercised and wishes to draw the attention of your Honourable House to the fact that no attempt has been made to balance the interests and needs of HS2. Stakeholders. The requirements of the Approved Undertaker, HS2 Ltd staff and employees and Network Rail are viewed as of paramount importance whereas the genuine needs of the reluctant 'host' communities are virtually ignored. The determination of Network Rail that disruption to existing and future rail passengers will be kept to a minimum regardless of significant impacts to other stakeholders is one example of many. Our communities are not an homogenous group of socially deprived tenants who need 'rescuing from poor quality Council homes' as characterised by Sir David Higgins. On the contrary our communities comprise those individuals, groups, voluntary and statutory organisations, education establishments, health facilities, private and council tenants, leaseholders and property owners, local small traders and businesses and such other parties comprising the richly diverse and vibrant communities surrounding Euston station all of whom face unparalleled social, environmental and economic impacts of several decades duration. To these should be added the requirements should be added the convenience of commuters and visitors to the London Borough of Camden other than those travelling on the West Coast Main Line into Euston. Together we face an unprecedented development in scale, cost and duration and of dubious benefit for the vast majority of rail travellers. Your Petitioner asks that Your Honourable House recognise the scale of discrimination and seek to mitigate this blatant inequity and in so-doing establish a more equitable balance between differing competing interest
35. Your Petitioner requests your Honourable House to require the Promoters to adopt an evidence based approach to mitigation.
36. To date no specific mitigation measures have been proposed. HS2 Ltd have merely published a matrix of possible mitigations measures. When queries are addressed to HS2 Ltd by concerned individuals they are told that it is considered that sufficient information has been provided in the Environmental Statement for this stage of the project.
37. Your Petitioner requests your Honourable House to require the Promoters to monitor the current level of noise, air and dust pollution and that this should be independently verified. Current air pollution levels breach EU legislation giving rise to potential health risk and no increase in pollution levels should be tolerated.
38. Your Petitioner does not have the expertise to recommend mitigations measures but urges your Honourable House to ensure that such measures that are agreed are commensurate with the impacts generated and that adequate mitigation and best practice is not sacrificed for cost reasons.

39. Your Petitioner is greatly concerned that HS2 Ltd continually use a modifier when referring to mitigation measures that might be employed. I.e, that of 'where reasonably practicable'. This phrase is widely considered to be a 'Get Out of Jail Free Card' which seeks to absolve NS2 Ltd from providing adequate mitigation. Your Petitioner asks your Honourable House to more clearly define the term 'reasonably practicable', who will be final arbiter of 'reasonableness' and to whom this 'reasonableness' applies.

40. Your Petitioners ask your Honourable House to require the Promoters to implement the following mitigation measures, all of which are essential if any semblance of quality of life is to be maintained during the eighteen years currently estimated for any 'level deck design' which is said will replace the design currently residing in the Hybrid Bill:

- i. All Emergency Services must be satisfied that their requirements with regard to Health and Safety legislation are identified and agreed well in advance of construction commencement. Such requirements should be publically available. It is of great concern to the Petitioner that the plans for the satellite construction compound currently prevent adequate emergency evacuation of Gillfoot tower block due to its proximity to the building
- ii. Access for service vehicles and deliveries from the south (as [i] above)
- iii. The location of the satellite construction compound approximately one hectare in area and consequent HGV access covers a significant proportion of the Estate and should be reconsidered. It is widely felt that HS2 Ltd have identified any green open space within 1km of Euston Station and laid claim to it by safeguarded these areas for their own use irrespective of the impacts locally. HS2 Ltd must make an irrefutable case for locating each construction compound in terms of necessity, size and placement
- iv. Pedestrian and cycle access routes from east/west and north/south across the Estate should be maintained as currently available.
- v. All lost parking spaces must be replaced by HS2 Ltd who must identify alternative in close proximity to the Estate
- vi. Alternative route for relocation of utilities away from the Estate should be carefully examined because of the very significant additional disruption and potential compromise of the comprehensive security system these would entail to an already severely affected community.
- vii. Should this not be possible, then HS2 Ltd must ensure security on the Estate is not compromised and if necessary 24/7 security personnel must be immediately available to mitigate potential problems
- viii. Any accidental damage to services will be remedied immediately and timely financial penalties made payable to all residents who endure loss of any service. LB Camden may also impose additional H&S restrictions given the inherent dangers of trenches being dug across the Estate.

- ix. No trees on the Estate shall be lost as a result of construction works and specifically the much-loved trees located between the tower blocks must remain in situ.
- x. Diversions and detours within and without the Estate make the provision of mobility transport for the elderly and inform, and a dedicated school bus for safe transport of children to and from school a necessity which should be provided by HS2 Ltd.
- xi. In so far as is practical, only rail will be used for the delivery of materials and the removal of waste. The practicality of so doing should be independently evaluated and balanced against impacts generated by removing spoil and other materials by road and on other interested parties.
- xii. There will be a package of property modifications for those residents most seriously impacted by proximity to the railway and station construction and Hampstead Road Bridge including assessed risk of subsidence, triple glazing, air filtration systems and sound proofing.
- xiii. Blanket permissions for night working should not be granted and the Approved Undertaker must make specific application to an agreed authority and make the case for 24-hour working and the duration thereof not only because of the reduced quality of life and nuisance caused but also because of the impacts on the health of those living nearby.
- xiv. Adequate pest control measures must be put in place and monitored
- xv. An effective plan to ensure the eradication, prevention and spread of Japanese knotweed prevalent locally arising from the railway cutting is required. Lack of safe handling and prevention of spread of this invasive plant species has important ramifications for current and would-be property owners
- xvi. Specified limits must be imposed to reduce nuisance whether it be from noise, pollution, dust, traffic congestion, hours of work or other nuisance incurred. If agreed conditions are breached speedy compensation will be paid to all affected businesses and residents the level of which must be realistic and agreed in advance of work commencing.
- xvii. Air pollution levels in and around Euston are significantly above what is considered safe. In particular, both CO₂ and NO₂ levels already breach EU legislation and are injurious to health. These levels must be strictly monitored and work ceased until such time as specific remedies are agreed and implemented if persistent breaches are recorded.
- xviii. There will be weekly Local Environmental Management Plan Meetings between contractors, residents and businesses.
- xix. The Estate should be kept in a good state of cleanliness and any damage caused by contractors should be made good in a timely fashion
- xx. Consideration should be given to setting up site specific Neighborly Agreement with contractors and other parties impacted by work on the Estate.

xxi. A Community Fund should be set up and made available on which residents should be able to call to fund as yet unknown purposes to help alleviate the impacts of HS2 in ways to be determined by community agreement.

41. Your Petitioner wishes to draw the attention of your Honourable House to plans to locate a bus standing area on the junction of Barnby Street and Eversholt Street. This site is unsuitable in terms of health and safety, congestion and fuel consumption and an alternative site should be found to accommodate this requirement.

42. Your Petitioner would welcome the willingness of the Hybrid Bill Select Committee appointed by your Honourable House to hear evidence and arrange site visits in Camden in order to assess for themselves the extent of likely impacts.

43. There are other clauses and provisions in the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and their rights, interests and property and for which no adequate provision is made to protect all residents living on the Ampthill Square Estate.

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:

Frances M Heron

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PETITION OF FRANCES M HERON

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