

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – [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 JOHN LEE

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 Hs2 Phase One Hybrid Bill”.
- 2 The Bill is presented by Mr Secretary McLoughlin.
- 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 Petitioner is an owner of property namely Lower Print Farm, Welsh Road, Bascote, Southam in the county of Warwickshire and is directly and specially affected by the Bill as my property has been reduced in value by as much as 50% since the announcement of the Hs2 line was made.

8 Your Petitioner and their rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects to for reasons amongst others, hereinafter appearing. Your Petitioner opposes the Bill in principle. Whilst your Petitioners acknowledge that the principle of the Bill was established at second reading your Petitioners' views on the subject are so strong they must be recorded in this petition.

9 (i) Your petitioner would point out that my house and farm are within circa 800m of the proposed Railway and would suffer visual, sound and vibration blight from both the construction and operation of the line. The local topography consists of a valley in which the line would run, with ancient woodland on both sides of the line, forming a very effective acoustic sound dish which would serve to amplify noise and vibration from already excessive levels, to a level which may prove to be injurious to the health of my family and my livestock and those of other residents adjacent to the line. At present the location of the proposed line at this point is a rural area that is designated as a 'Tranquillity Zone' and an 'area of low light pollution' by the CPRE (Council for the Protection of Rural England). These effects are exacerbated in that the track would be elevated on an embankment and viaducts from Ch 128+500 where the trains would leave the tunnel on the north east side of Long Itchington Wood until it enters a cutting at Ch 130+200. CPRE & Hs2 maps showing noise and visual impact calculations and contours to support and substantiate my declarations are available.

(ii) As a consequence of these visual, sound and vibration intrusions the value of my property and farm has been diminished perhaps by as much

as 50% if indeed the property were to be saleable at all. The construction blight is perhaps more injurious to the value of the property as the project may continue for perhaps up to twenty years. My home and farm business form a significant part of my pension and retirement provisions. I am currently 63 years of age and had planned at some point to sell and downsize my home and small farm and retire. The Hs2 project has blighted my life and home for more than four years with no prospect of any fair and just compensation.

(iii) Your petitioner notes that Her Majesty's Government and Hs2 Ltd have previously stated and continue to state that a fair system of compensation for property owners thus blighted by the Hs2 proposals should properly reflect the significant impact of the construction and subsequent operation of a high speed rail line. Under the currently proposed compensation scheme your petitioner will not receive any compensation for the loss in value to his property. A fair and just system of property compensation must include all people who are significantly impacted by Hs2 such as myself and are currently excluded from the current statutory and proposed compensation provisions.

- 10 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above so far affecting your Petitioners, then the Bill should not be allowed to pass into law.
- 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 PETITIONER therefore humbly prays 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. *R*

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AGAINST, By Counsel, &c.

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BACKSHEET:

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