

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 LORNA JOYCE HOBBS

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 Petitioner is Lorna Joyce Hobbs (hereinafter referred to as ‘your Petitioner’) the freehold owner/occupier of “South Hurst Farmhouse” Crackley Lane Kenilworth Warwickshire CV8 2JW (‘the Property’) which is in the Parish of Burton Green, Warwickshire. Your Petitioner is a 71 year old widow residing alone at the Property. Your Petitioner and her late husband bought the Property in 1990 and after renovating the Property commenced residence in 1992. Your Petitioner was widowed in April 2004. Access to the Property is via a no-through road off Crackley Lane, continuing through a private driveway through a farmyard (under separate ownership). These roads and the driveway will be used by construction traffic during the construction of the Scheme causing much disturbance to your Petitioner.
- 8 Your Petitioner and her rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.
- 9 Bearing in mind the current design of the proposed Scheme in the area of the Parish of Burton Green your Petitioner is concerned about the impact of the construction and operation of a high speed railway and its associated development on the Property and the Parish of Burton Green. Your Petitioner is concerned that the construction and operation of a high speed railway will impact significantly upon the quiet enjoyment of the Property and the Parish of Burton Green by way of noise, disturbance, visual intrusion and traffic increases.
- 10 Your Petitioner is concerned about the use of unsuitable highways by large vehicles delivering equipment and supplies, and removal of spoil during the construction works as well as use of highways by other vehicles. The disruptive effect of these vehicle movements will be compounded by long hours of operation. The use and routing of large vehicles within the vicinity of the Property along Crackley Lane down the aforementioned no-through road and farm driveway is also a matter of great concern to your Petitioner. Your Petitioner is concerned that the condition of these roads will quickly deteriorate and deposits of mud, which will be left on the roads by construction vehicles causing the road surface to become slippery and dangerous especially in wet weather. Your Petitioner is extremely concerned about the impact of construction traffic on the Property which will result in the Property being subject to intolerable noise, vibrations, visual impacts and deposits of mud on the driveway at the entrance to the grounds of the Property.
- 11 Your Petitioner maintains that she is unreasonably and unnecessarily affected by the HS2 railway current design, as described in the Bill and in the supporting documents including the Environmental Statement. Unreasonably in that the proposed design is insufficiently effective at mitigating the effects of the scheme at completion, and more significantly in that little or no account seems to be taken of the enormous impacts caused by the proposed construction method – a cut-and-cover tunnel which bisects the neighbouring village of Burton Green. The village of Burton Green is unnecessarily affected as effective and technically feasible solutions are known to

exist in the form of bored tunnels.

- 12 The Property is shown in the documentation as being subject to significant impacts during the lengthy construction phase including noise, dust, traffic etc. The Property will also overlook the construction site, a temporary material stockpile and will be in view of Crackley Lane Overbridge Satellite Compound (Map name and number 'Construction Phase' - CT-05-097) all of which will generate noise, dust, traffic etc. The Property is shown in the documentation (Map name and number 'Operational Noise and Vibration Impacts and Likely Significant Effects' - SV-05-049) to suffer in perpetuity from noise created by the operation of the proposed railway which will continue to prevent your Petitioner's peaceful enjoyment of gardens and outdoor spaces together with her views from the Property. Your Petitioner is concerned that she will not be able to open windows in the Property to enjoy fresh air whilst indoors due to the disturbance of noise and dust generated by the construction and ultimate operation of the railway line.
- 13 Your Petitioner is concerned that the ancient woodland called Broadwells Wood which is adjacent to the Property on the West side (Map name and number 'Environmental Baseline' -CT-10-049) will be drastically affected by the construction and operation of the proposed railway line which is routed through it. Your Petitioner is concerned that Broadwells Wood will suffer extensive losses of flora and fauna which have built up over hundreds of years the heritage of which will be lost to future generations.
- 14 Your Petitioner is desperate to downsize and move to within a community where she can easily access doctor's surgery, shops, public bus services and other amenities. Your Petitioner resides alone at the Property and is finding it increasingly difficult physically and mentally to deal with the upkeep of a large property. Your Petitioner applied for the Exceptional Hardship Scheme in 2011 but unfortunately was rejected. The Property has been offered for sale on the open market since October 2010 but due to the threat of HS2 has not sold regardless of the fact that there has been a lot of positive interest in the Property. The Property is situated in an isolated position in the countryside in the Parish of Burton Green and is not on a bus route. There are no amenities in the immediate vicinity of the Property. The Property will not be demolished as a result of the Bill but is deemed to be located within 120 metres of the line and construction footprint. The Property has become unsaleable due to the threat of HS2. Your Petitioner is concerned that the value of the Property has been drastically reduced and is worried that ultimately the value will not recover when the railway line is operational. Your Petitioner is concerned that she will never be able to purchase a smaller, more manageable property within a community where your Petitioner would feel more secure.
- 15 Your Petitioner requests that the design of the proposed scheme in the Parish of Burton Green should be examined afresh and to take full account of the human and environmental costs/benefits of the proposals and to do so in an open and transparent manner. Bearing in mind that adequate compensation is not being offered to all those who are affected by the Scheme the Petitioner respectfully requests the very best design and mitigation and not just the cheapest as otherwise it is the case that a small

group of people are being expected to bear disproportionate personal costs for a scheme nominally in the national interest.

- 16 Your Petitioner requests that hours of construction and movement of construction traffic be strictly limited from 08.00 to 17.00 Monday to Friday and that there are limits on the number of vehicle movements and on the size of vehicles. Your Petitioner requests that appropriate funding should be provided by the nominated construction company to the highway authority for the maintenance, repair and reinstatement of highways required as a result of use by construction traffic. Your Petitioner requests that there are binding mitigation measures for wheel washing of all vehicles exiting the sites onto the aforesaid farm driveway and the highway network.
- 17 Your Petitioner requests that consideration be given to a deep bore tunnel running under a major part of the Parish of Burton Green, say commencing at Berkswell finalising beyond the junction with Crackley Lane and Cryfield Grange Road. This would protect the village of Burton Green and its inhabitants, the ancient woodland known as Broadwells Wood and surrounding countryside.
- 18 Your Petitioner respectfully requests that HS2 Limited should purchase the Property in view of your Petitioner's current personal situation mentioned in Clause 14 hereof.
- 19 For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, the Bill so far as affecting your Petitioner, should not be allowed to pass into law.
- 20 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and her rights, interests and property and for which no adequate provision is made to protect your Petitioner.

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 she may be heard by her 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 Petitioner and in support of such other clauses and provisions as may be necessary or expedient for her protection, or that such other relief may be given to your Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioner will ever pray, &c.



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