

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 STEPHEN DE WINTER

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, aged 74, has lived for 31 years, alone, at no.10, then no.4, Tintern House, Augustus Street, NW1 3SY. He is a tenant of Peabody, previously of the Crown Estate. Tintern House, built 1932, is situated at the junction of Augustus Street and Park Village East. On Sheet 1-02, of Parliamentary Notice C 271/002245 of 25th November 2013, Tintern House is property 121 and the line of deviation takes in the majority of its front garden and a small corner of the building itself. Tintern House is not covered by Safeguarding but is within 25 meters of land to be taken for the satellite construction compound on the opposite side of Park Village East; it is approximately opposite

the ramp to be constructed for vehicle access to this compound. Construction traffic at the Augustus Street/Park Village East junction is estimated to reach 470 HGV movements per day, including 24 hour working. In Table 14: "Adverse effects of construction noise and vibration that are considered to be significant on a community basis" of the "CFA Report – Euston – Station and Approach/No 1 | Sound, noise and vibration", the effects on Tintern House are described as follows: "**Construction Noise Day:** Demolition of buildings in the station approach, utility diversions, bridge construction, retaining wall construction, earthworks excavation, construction traffic with typical and highest monthly noise levels around **70dB and 80dB**", continuing for "**24 months**", and "**Construction Noise and Vibration Night:** Demolition of the carriage shed, construction of new bridge piers with typical and highest monthly noise levels around **60dB and 70dB**", continuing as follows "**Noise: 24 months, Vibration: 1-2 months**".

8. Your Petitioner has been very contented to live in Tintern House, which has been well maintained by its respective Estates. The north garden, of about 500 m², which Your Petitioner helps to maintain, is prominently placed at the junction of Augustus Street and Park Village East, and has flowerbeds visible for the delight of the passing public.

9. Your Petitioner has diabetic retinopathy and this condition is likely, but not certain, to result in blindness in 4-6 years (2018-2020).

10. Your Petitioners and their interests are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.

11. The Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to take 10 years to complete and will include lorry movements, the creation of dust and noise, poor air quality, and 24 hour working. In addition to all this inevitable noise and disturbance, two bridges which lead to public transport and the shops of Camden Town are to be demolished (Granby Terrace Bridge and Mornington Street Bridge) and the bridge in Hampstead Road will be considerably narrowed while being rebuilt. This work will create obstacles in the way of Your Petitioner's daily life, and will doubly impede him if he has become blind.

12. Your Petitioner is apprehensive that the cumulative shortcomings elaborated in the Camden "Comments" on the HS2 Phase 1 Environmental Statement have not been addressed adequately to give convincing confidence to the credibility of the assurances already submitted by the Promoters.

13. 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 submits 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. And they need to guarantee that in due course facilities will be introduced allowing disabled persons still living in the proximity of the construction sites to get

around. Your Petitioner considers that there are ways of arranging the work, for example by removing all spoil by rail, which would be much less disruptive to the local community. He also believes that the whole scheme for bringing the trains into Euston should be reconsidered; for example, the Euston Cross scheme would eliminate the need for all demolition in his immediate locality.

14. 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 he 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 Petitioner and in support of such other clauses and provisions as may be necessary or expedient for his 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.

Signed Stephen de Winte

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PETITION OF STEPHEN DE WINTER
AGAINST, By Counsel, &c.

Stephen de Winter,