

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

PETITION

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 DOROTHY SHARP

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, a freelance graphic designer, is very far from young and lives on her own. She has had successful knee replacement operations and is relatively mobile, but no longer rides her lightweight touring bicycle. She does not drive a car and thus depends on public transport, travelling mainly by bus. Since 1st February 1984 your Petitioner has lived in the basement (garden) flat at 111 Gloucester Avenue, NW1 8LB, a leasehold property which she bought in 1984. Although your Petitioner's property will not be demolished as a result of the Bill, HS2 Ltd have indicated they will need to undertake intrusive works requiring excavation in the area of Gloucester Avenue. Your Petitioner will be subjected to what the HS2 Environmental Statement describes as "major adverse effects", resulting from increased traffic flow and pedestrian severance at Gloucester Avenue. Your Petitioner's health could be damaged through the high levels of NO2 and particulate air pollution resulting from traffic increase, with the use of heavy lorries in nearby areas. The blight on property in areas affected by the HS2 scheme proposals extends of course to your Petitioner's flat.
- 8 Your Petitioner and her interests are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others hereinafter appearing.

## 9 Petitioning

Your Petitioner strongly supports the letter of 14 May 2014 from Hilary Wharf of the HS2 Action Alliance to Robert Syms MP, Chair of High Speed Rail (London-West Midlands) Bill Select Committee, on the hearing of petitions. In light of the inadequacy and inaccuracy of the information that has to this point been provided by the Proposer, she would be fearful of their technical advice being relied upon during the petitioning process and thus shares the concern of the HS2 Action Alliance about technical advice to the Select Committee, expressed on page 3 of this letter:

*We are concerned that the proposer might be used as a source of technical advice, conducting briefing for the Committee on particular topics.*

*We would certainly be considerably more comfortable if the Committee procured its own independent advice, especially as some points that will be petitioned concern the methodology developed by HS2 Ltd.*

*In our view there would be advantages in moving away from an adversarial system, with opposing parties presenting evidence, in favour of the Committee obtaining an independent peer review of the evidence. This may be a fairer process, particularly where the individual petitioner lacks the expertise or resources to best present the case. The Committee might also appoint an advocate to act for the Committee and test the evidence being presented to them by the promoter and the petitioner. For the Thames Tunnel, the Planning Inspectorate appointed a leading QC to carry out this process.*

Your Petitioner respectfully but strongly prays your honourable House to procure independent advice in assessing technical matters, rather than relying on advice provided by the Proposer.

#### 10 Consultation

Your Petitioner is, quite understandably, suffering stress through the uncertainty of not knowing the extent to which her life and health might be affected by the scheme for she believes the Environmental Statement failed to provide sufficient information on HS2's plans for Gloucester Avenue, for Primrose Hill Village and for Camden as a whole.

- 1 The Environmental Statement contains no realistic assessment of the traffic consequences of these plans.
- 2 The Environment Statement contains no up-to-date readings for existing NO<sub>2</sub> and particulate pollution in Camden.
- 3 The Environmental Statement contains no plans to ensure that HS2's construction does not increase these levels.
- 4 Although compulsory purchase orders were issued to property-holders in Berkley Road, Chalcot Road, Chalcot Square, Gloucester Avenue, Princess Road and Regent's Park Road, the Environmental Statement contains no information on HS2's plans for work in these streets.
- 5 The Environmental Statement contains very many errors and omissions, as listed by the HS2 Action Alliance, particularly in the areas of road congestion and air pollution.

Your Petitioner therefore prays your honourable House:

- 1 To provide an independent analysis of the effect of HS2's plans on traffic in Camden, based on scientifically monitored traffic readings rather than on the unscientific assumptions characteristic of the Environmental Statement.
- 2 To provide up-to-date readings for existing NO<sub>2</sub> and particulate air pollution in Camden.

- 3 To provide plans to ensure that HS2's plans do not increase the already illegal levels of NO<sub>2</sub> in Camden.
- 4 To provide plans for the works for which compulsory purchase orders have been issued in Berkley Road, Chalcot Road, Chalcot Square, Gloucester Avenue, Princess Road and Regent's Park Road.

## 11 Traffic

Your Petitioner does not drive and, like many other older people in Primrose Hill, some of them disabled, depends for transport mainly on local buses with stops in or very near Primrose Hill Village, at least for the beginning of a journey. Most useful of all is the 274 route, with stops in Regent's Park Road. Then we have the 31 bus with a stop opposite Chalk Farm tube station in Adelaide Road, and the 168 and C2 with stops in Haverstock Hill beside Chalk Farm tube station. All three are at present accessible by walking across Regent's Park Bridge. Your Petitioner's fears are as follows:

- 1 Your Petitioner fears that HS2's construction plans in Camden will lead not only to prolonged traffic chaos and to gridlock, but that with road closures bus routes could be diverted so that the 274, perhaps the most useful route of all, would no longer stop in Primrose Hill Village. The fact that much of the route is marked "land potentially required for construction" makes your Petitioner fear that this could be the case.
- 2 Your Petitioner fears that while the immediate impact on Gloucester Avenue and Primrose Hill Village will be severe, the threat posed to it by HS2's plans cannot be limited to their immediate area. HS2's plans for Camden as a whole, which include the heavy use of construction traffic, threaten to cause traffic chaos throughout the borough of Camden and beyond. Gloucester Avenue, the area around it and Camden as a whole will all suffer.
- 3 Your Petitioner fears that the building of the vent shaft on Adelaide Road, with the closure of Adelaide Road and an increase in construction traffic, threatens major disruption not only to Adelaide Road itself but to England's Lane, Haverstock Hill and Primrose Hill Road.
- 4 Your Petitioner fears that traffic chaos, including gridlock, would mean that emergency services would struggle to get through and this could result in loss of life.

To address these fears, your Petitioner prays your honourable House to ensure the following:

- 1 Your Petitioner requests that measures are taken to ensure that whatever diversion to the 274 bus route may be necessary during the construction period, any interruption in the service to Primrose Hill, with stops in Regent's Park Road or nearby in Prince Albert Road, should be for no more than, say, one month in total?

- 2 Your Petitioner requests you to limit the scale of development at Euston and the area around it, reducing the construction traffic associated with it. A double-deck station provides the obvious benefit of reducing the footprint of Euston Station rather than enlarging it.
- 3 Your petitioner requests that you remove spoil from demolition and bring in construction materials by rail rather than by road. A platform at Euston dedicated to spoil removal would mean many fewer lorries on the streets of Camden.
- 4 Your Petitioner requests that you examine closely any scheme which does not require surface rail construction through Camden and also proposes to remove spoil by rail.
- 5 Your Petitioner requests that you use the now redundant HS1/HS2 Link main compound for the vent shaft currently planned for Adelaide Road, removing the need to close Adelaide Road during the construction of the vent shaft.

## 12 Air Quality

Your Petitioner is concerned that construction will lead to a significant increase in the major air pollutants Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>) in Gloucester Avenue, Primrose Hill Village and across Camden. Thus your Petitioner fears for her health for there is now a scientific and medical consensus linking air pollution to serious health problems, including asthma, cancer and heart disease. Pollutant levels on major roads in Camden, measured in 2010, were well in excess of the legal limits imposed by Directive 2008/50/EC. These levels are unlikely to have decreased since then. The UK is already in breach of this directive and, in terms of its current compliance to this directive, rates twenty-eighth out of the twenty-eight members of the EU.

Your Petitioner fears construction will impact air quality in Gloucester Avenue and Primrose Hill Village from:

- 1 Construction traffic on Adelaide Road, Bayham Street, Camden High Street, Chalk Farm Road, Delancey Street, England's Lane, Gloucester Avenue, Haverstock Hill, Jamestown Road, Oval Road, Parkway, Primrose Hill Road, Prince Albert Road and Regent's Park Road.
- 2 Traffic congestion due to road closures and additional construction traffic.

To prevent damage to the health and life of your Petitioner, your Petitioner prays your honourable House to ensure measures to protect her:

- 1 Your Petitioner requests that before construction there should be an air quality baseline monitoring study benchmarked against the Air Standards Regulations 2010 and a copy of this report should be made public. Your Petitioner submits that thresholds for air quality and an air quality mitigation plan should be produced for the London Borough of Camden, to apply both during the construction and the operation of HS2.

- 2 Your Petitioner requests that the London Borough of Camden be provided with powers to monitor air quality in accordance with binding mitigation plans and, in the event air quality thresholds are breached, your Petitioner submits that the Bill should be amended to enable the London Borough of Camden to require the cessation of construction activities until such point as air quality thresholds are complied with.
- 3 Your Petitioner requests that, in order to limit any increase in air pollution levels, the number of HGV journeys during construction should be reduced by the removal of spoil and the provision of material by rail rather than road.
- 4 Your Petitioner requests that vehicles used in construction should meet the latest European Emission Standard.
- 5 Your Petitioner requests that you ensure, so as to avoid additional air pollution, construction does not lead to congestion in Gloucester Avenue, in Primrose Hill Village or in Camden as a whole.

### 13 Excavation works in the Gloucester Avenue area

Your Petitioner believes that the Environmental Statement fails to provide sufficient information on HS2's plans for Primrose Hill – for example, there is no indication of when the works will start, nor is there a timeframe given for their impacts. Your Petitioner understands, however, that HS2 Ltd has indicated that it will need to undertake intrusive works requiring excavation in the Gloucester Avenue area. These works are to include: the internal strengthening of the Middle Level No. 2 Sewer, with temporary diversion of the flow during these works; the sewer replacement along Princess Road to St Mark's Square; and possibly the replacement of the electricity cables in the Gloucester Avenue canal bridge structure; works in other parts of Primrose Hill of which no details have yet been given. Your Petitioner's concerns are as follows:

- 1 Your Petitioner is concerned that the relief sewer, built in 1993/94 below Gloucester Avenue and Princess Road to protect the basements of properties in Primrose Hill which are within an extensive area known to be at risk of flooding, might be demolished, damaged or in some way rendered inoperative as a consequence of the planned sewer replacement and strengthening works. On 8th May 1988 your Petitioner's flat (which is within the flood risk area) suffered damage through flooding caused by a backup of the sewage system during heavy rain, so is understandably fearful that she and her neighbours may once again be subject to the risk of flooding.
- 2 Your Petitioner is concerned that not only the planned works to the sewers but also work that might involve adaptations to the water supply, the replacement of electric cables and telephone lines, may result in essential utility services being interrupted. Your Petitioner fears that her supply of water, gas and electricity might be interrupted, causing hardship. Your Petitioner also fears that her telephone may be cut off for periods. Without her electricity supply or telephone line your Petitioner would be unable to carry out her freelance work.

To address these concerns your Petitioner prays your honourable House to ensure the following:

- 1 Your Petitioner humbly requests that measures be taken to ensure that the relief sewer in Gloucester Avenue, Princess Road and beyond remains intact and fully functional.
- 2 Your Petitioner humbly requests that measures be taken to ensure that no interruption will occur to the supply of water, gas or electricity, or to the telephone service.

#### 14 The Alignment of Tunnels

- 1 The tunnel closest to 111 Gloucester Avenue runs beneath the backs of the houses on the opposite side of this residential road and is thus relatively near to 111 Gloucester Avenue; furthermore, the top of this tunnel is no more than 21m from the surface. In light of the fact that the Environmental Statement is replete with inaccuracies, omissions and inconsistencies and that ancillary documentation such as the proposed Code of Construction Practice remains in draft form, your Petitioner greatly fears that 111 Gloucester Avenue, in which she owns the basement flat, may be at risk from damage caused by subsidence during tunnelling, with vibration an additional factor. Your Petitioner also fears that vibration and possible further damage to her property could occur when the railway, with its frequent trains, is in operation.
- 2 Your Petitioner respectfully points out the very great extent of existing railway land to the north and east of Gloucester Avenue and Primrose Hill. Because of the fears expressed by your Petitioner in paragraph 1 above, she feels it is very desirable that the Promoter's tunnels should run beneath existing railway land rather than so close to 111 Gloucester Avenue.
- 3 While she was pleased by the minor realignment of the Promoter's tunnels away from Gloucester Avenue and Primrose Hill Village, agreed by the Gloucester Avenue Association and the Promoter in 2013, your Petitioner believes that an alignment running beneath the centre of existing railway land would be greatly preferable in protecting her interests as well as those of other Gloucester Avenue residents.
- 4 Your petitioner respectfully points out that the current alignment near Gloucester Avenue and Primrose Hill Village was dictated by plans for the HS1/HS2 Link. As plans for the HS1/HS2 Link have been abandoned, these plans no longer dictate the alignment in this sector.
- 5 Your Petitioner respectfully points out that the Promoter's decision to locate a vent shaft near the Nature Reserve on Adelaide Road was based on the need for it to service the now-abandoned HS1/HS2 Link tunnel, as well as the twin tunnels running towards Euston. Your Petitioner points out that this is no longer the case, following the abandonment of the HS1/HS2 Link.

- 6 Your Petitioner believes that it is possible to site the vent shaft for the Euston tunnels on existing railway land, rather than next to Adelaide Road. They respectfully observe that the removal of the provisions for the Link will release two areas of land previously required in connection with the Link: the first being the site which was proposed for the HS2/HS1 intervention shaft by the former Primrose Hill Station. The second is the site proposed for the eastern portal of the HS2/HS1 tunnel on land between Juniper Crescent and Regent's Park Road Bridge. Both sites are within the "red lining" of the Bill, and both are fewer than 2000 metres from the site of the next vent shaft on the proposed railway at Alexandra Place. Your Petitioner understands that this is the principal engineering constraint affecting the spacing of vent shafts.

Your Petitioner therefore respectfully prays your honourable House as follows:

- 7 Your Petitioner requests that you ensure that the Promoter's tunnels run centrally under existing railway land between Parkway and Regent's Park Road Bridge.
- 8 Your Petitioner asks your honourable House to examine the opportunity provided by the abandonment of the HS1/HS2 Link to realign the Promoter's tunnels to run to a vent shaft situated in what was the intended HS1/HS2 Link construction compound; or on the site of the intended HS1/HS2 Link portal.
- 9 Your Petitioner prays that in considering the Promoter's plans for Euston, to replace the now-abandoned Option 8, the loss or saving of a few seconds during the operation of the line should not be allowed to outweigh the interests of the residents of Gloucester Avenue, Primrose Hill Village and Camden. Your Petitioner draws your honourable House's attention to the fact that capacity rather than speed is now the Promoter's argument for the necessity of building the line.
- 10 Your Petitioner prays that, in considering the Promoter's plans for Euston, your honourable House is mindful of their interests. Your Petitioner believes that any decision on plans for Euston Station to replace Option 8 will have implications for her. She therefore request that you will ensure, in making this decision, that significant weight is given to any solution which allows the Promoter's tunnels to run centrally under existing railway land in the sector between Parkway and Regent's Park Road Bridge.
- 11 Your Petitioner prays your honourable House, when considering the option of a double-deck station at Euston, to add to its reduced footprint and other merits the advantage of allowing the alignment of the Promoter's tunnels to run centrally under existing railway land in the sector between Parkway and Regent's Park Road Bridge.

## 15 Euston Station

- 1 Your Petitioner draws to your honourable House's attention the impact which future decisions about Euston Station will have on Gloucester Avenue and Primrose Hill Village. These decisions will effect considerably the impact the scheme will have on the health and wellbeing of your Petitioner.
- 2 Your Petitioner is deeply concerned that whatever station is built at Euston, to replace the Promoter's Option 8, should, as part of its design, allow an alignment in the section of the line near Gloucester Avenue and Primrose Hill Village to run centrally under railway land.
- 3 Your Petitioner strongly supports the building of a double-deck station at Euston so as reduce the footprint of the existing station.
- 4 Your Petitioner endorses the following passage of section 15 of Camden Council's petition to your honourable House on this Bill:

*15. Your Petitioners are prepared to consider other solutions for the Station and in order for adequate time to be given for proper consideration, your Petitioners request that consideration is given to the suggestion later in this Petition for a temporary terminus at Old Oak Common. In coming forward with revised proposals, the Promoters must consider properly a range of designs which could be contained within the Station's footprint, such as the option known as "Double Decked Down II", as well as designs which could contain the approach to Euston Station within the boundaries of the existing Camden Cuttings and tracks ...*

Your Petitioner respectfully requests your honourable House as follows:

- 1 Your Petitioner asks you to ensure that the interests of Gloucester Avenue and Primrose Hill Village are taken fully into account in examining and approving any new plans for Euston Station.
- 2 Your Petitioner asks you to look favourably on a design for Euston Station which causes the least damage to the area around the station and to Camden as a whole.
- 3 Your Petitioner asks you to look favourably on a double-deck solution for Euston Station, whether Double-Decked Down 2 or a similar plan.

## 16 Compensation

Your Petitioner believes that compensation proposals for the damage caused by construction are inadequate and unjust:

- 1 Your Petitioner believes that Gloucester Avenue has already been damaged by blight caused by HS2. The threat of tunnelling under or near to the houses in this road has caused uncertainty amongst potential buyers.

- 2 Your Petitioner believes that the many compulsory purchase orders issued in Primrose Hill Village, for works whose nature is unspecified, have blighted property in Gloucester Avenue, as well as in other roads in the area.
- 3 Your Petitioner believes that, although construction threatens to inflict huge damage on Camden, there is no recognition in the Bill of the principle that polluters must pay for the pollution they cause.
- 4 Your Petitioner fears that the Bill expects Camden and its residents to shoulder the heavy cost of the damage, offering compensation to no more than a handful of those affected.
- 5 Your Petitioner believes that it is unjust that no compensation is available to holders of property above or near HS2's tunnels.
- 6 Your Petitioner fears that HS2's plans will cause traffic chaos and NO<sub>2</sub> pollution in Gloucester Avenue, Primrose Hill Village and Camden as a whole, making them less attractive places in which to live. It is unjust that there should be no compensation for the loss of amenity, threat to health and property blight resulting from HS2's plans.

Your Petitioner prays your honourable House to ensure measures providing fair compensation:

- 1 Your Petitioner requests that there should be full compensation for all losses caused by the construction of HS2 in Camden, whether direct or indirect. This should include compensation for loss of housing, decline in housing values and business losses.
  - 2 Your Petitioner requests that you should widen the compensation zone in Camden to match that outside London.
  - 3 Your Petitioner request compensation for loss of the value of her basement flat at 111 Gloucester Avenue, which is near the tunnels.
  - 4 Your Petitioner requests the acceptance of proposals for a property bond scheme made by the HS2 Action Alliance.
  - 5 Your Petitioner requests that you give favourable attention to the petition on compensation in Camden presented by Sir Keir Starmer QC.
- 17 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 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 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.

Signed

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