

**IN PARLIAMENT**

**HOUSE OF COMMONS**

**SESSION 2013–14**

**HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL**

**PETITION**

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 David Ratcliffe Holborow and Yvette Muriel Jacqueline Holborow

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 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.

7.1 Since the awful morning Your Petitioners (aged 63 and 61) found that HS2 was coming through their tiny hamlet it has been in their minds every waking moment. First thoughts: Will they knock down our house? When do we have to move out? How will they calculate how much to pay us? Now Your Petitioners realise that would have been the good news. Week after week, month after month and now year after year Your Petitioners have watched the horror of this plan unfold, move forwards, move backwards and slither along.

7.2 Your Petitioners have always chosen to live in quiet countryside retreats and when moving to this area 12 years ago spent considerable time choosing this location: Bascote Heath, Southam, Warwickshire, CV47 2DN, and carefully avoiding major transport routes and the possibility of an airport being built in the county. The rural lane in which Your Petitioners live is used daily by rambling groups, cyclists, dog walkers and many horse-riders. No footpath or street lighting is required as it is used and accepted as a quiet country lane.

7.3 Your Petitioner (the 'breadwinner') retired early due to heart problems, knowing that in case of hardship Your Petitioners could 'downsize' and the property would have increased in value. No longer true! As Your Petitioners' ages increase they feel trapped in a home where the garden and property become increasingly difficult to manage, however, Your Petitioners' house is now unsaleable. Of the handful of houses in this hamlet there has been no sale of any property since the announcement of HS2. There

has been one part exchange of a property, but no sales. Four out of seven homes in Your Petitioners' immediate vicinity ie nearly 60% of the houses affected, have been offered for sale and one has been part exchanged after failing to sell for many months when the owners were desperate to relocate to Australia. A neighbouring property has been reduced in price by 40% and all offers to purchase have been withdrawn specifically due to the proximity of HS2. This is property blight in a basic, cruel and barbaric form.

7.4 Notwithstanding the fact that property in this area is now unsaleable, Your Petitioners have discussed with an estate agent the impact on their property of HS2 and it was estimated that a figure of £100,000 has been lost on the purchase price paid 12 years ago. That is money Your Petitioners have worked their whole lives to save, is needed for retirement and money they desired to leave for their children to inherit.

7.5 Your Petitioners will be put in a situation where instead of leaving their home on foot amongst leafy countryside full of birdsong, wild animals, and countryfolk enjoying leisure activities, they will be forced to fight their way through roadworks, traffic lights, diggers, lorries, noise and pollution. Even on completion of the works (when Your Petitioners will be quite aged!) the whole environment will be spoiled and changed forever.

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

9.1 Your Petitioners understand that the hamlet of Bascote Heath and Long Itchington Wood are going to be subjected to tunnelling work 24 hours a day, seven days a week for six years and possibly longer. Your Petitioners are horrified at the prospect of 40 ton lorries carrying spoil in a lane extensively used for recreation purposes at present, not only ruining the environment but also posing a risk to public safety.

9.2 This will inevitably lead to severe sleep deprivation and depression for Your Petitioners who are both retired and spend the majority of their time at their home which will be a few metres from works: even the verge of Your Petitioners' garden has been highlighted as affected by drainage works on the plans, but Your Petitioners have no subsidy, payment or relief for the inconvenience and disruption caused.

9.3 Part of the environment Your Petitioners chose to live in includes the ancient woodland opposite their home. Tunnelling under the woods, a designated SSI area, will create noise, pollution, dust and hydration problems for the trees, plants and animals living there: there are significant numbers of deer, badgers, foxes, many birds and small mammals living in Long Itchington Woods at the present time.

- 10.1 Your Petitioners request that Bascote Heath C97 is banned to all construction and diverted traffic, and that spoil lorries be diverted to The Fosse from the construction site off Welsh Road.
- 10.2 Your Petitioners request that the Construction Site inappropriately located at the edge of Long Itchington Wood be relocated to a more environmentally friendly and less harmful area directly off The Fosse which could more easily facilitate the movement of construction traffic, including plant machinery, to A425.
- 10.3 Your Petitioners request the proposed construction camp be relocated from the area surrounding the tunnel's north portal to a less harmful and more environmentally acceptable site. The increase in population created by workers living in the area, in addition to spoil stores and work sites at the edge of the wood is totally inappropriate. Your Petitioners respectfully request that reference be made to the Woodland Trust's submission on these issue.
- 10.4 Your Petitioner requests that the Bill should be amended to ensure Your Petitioners and other persons outside the safeguarded area who are injuriously and adversely affected by loss of value should be entitled to claim compensation.
- 10.5 Your Petitioners request that the voluntary purchase announced on 9 April 2014 should be extended to all properties outside of the safeguarded area.
- 10.6 Your Petitioners request that the home owner cash payments should be extended to all areas within the vicinity of the proposed high speed railway line and the payment should be calculated so that all diminution in value is compensated.
- 10.7 Your Petitioners submit that the Bill should be amended to ensure that Your Petitioners are entitled to claim compensation where their Property is not compulsorily acquired for, among other matters, settlement, impacts from noise and dust, impacts on visual amenity, interference with access, interference with supplies of services and for injurious affection caused by the construction and operation of the high speed railway and associated development. Your Petitioners request a provision to enable such claim to be made separately from any claim for compensation in respect of the acquisition of land or interests under the powers of compulsory acquisition in the Bill
- 10.8 Your Petitioners submit that such an enormous construction should be routed alongside an existing major transport route, for example the M40 or M1 for capacity, business and environmental reasons, rather than despoiling a huge swathe of countryside within the small island that is Britain.**
- 10.9 Your Petitioners feel it must be preferable to re-evaluate the project as a whole and consider more environmentally friendly alternatives. Slightly reducing the speed of the

train will mean the line can be curved and this will allow the woodlands to be avoided at least in part. Relocation away from woodlands will save these very important 'lungs' of our countryside from the pollution that will arise from major construction work. It is worth a five minute delay between Birmingham and London to see ancient and significant woods survive.

11. For the foregoing and connected reasons Your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners should not be allowed to pass into law.
12. 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 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 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 Petitioners in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

Signed DAVID RATCLIFFE HOLBOROW



Signed YVETTE MURIEL JACQUELINE HOLBOROW



