

IN PARLIAMENT

HOUSE OF

COMMONS

SESSION

2013 - 2014

HIGH SPEED RAIL (LONDON TO 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 **Rosemary Guiot**

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 lives at 16 Price Road, Cubbington, Leamington Spa, CV32 7LQ, which has been the home of her family since 1956. Your petitioner grew up there and inherited the property in 1996 and has lived alone there continuously since 1997 and is now retired. Your petitioner's property is located approximately 930 metres from the line. Your petitioner has attended both the local Community Forum meetings and the bilateral meetings as an observer.
8. Your Petitioner and her interests are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

9. **Ancient Woodland**

9.1 Your Petitioner is concerned about the impact of the HS2 scheme on ancient woodland. Ancient woodland is an irreplaceable national resource of great importance for its wildlife, soils, recreational uses, cultural value, history and the contribution it makes to our diverse landscapes. Your Petitioner is particularly concerned about the extent of loss of ancient woodland and harm to biodiversity that will result from the Bill as currently proposed and the impacts of the construction of works and other proposed activities on ancient woodland.

9.2 Your Petitioner asks that the Bill should not become law unless proposals are brought forward by HS2 which significantly reduce the extent of loss of ancient woodland. Because ancient woodland is irreplaceable, its loss cannot be mitigated, only compensated for. Your Petitioner is very concerned that the compensation measures proposed by the Promoters are inadequate. Where limited loss is inevitable greater compensation should be provided and it should be guaranteed for the future.

9.3 Your Petitioner is also concerned about indirect effects on ancient woodland from the construction of HS2 including adverse impacts from noise, light and air pollution, and working within and adjacent to ancient woodland. Further mitigation of these impacts, such as large buffers and relocation of working sites, should be provided if the scheme goes ahead.

9.4 Your Petitioner is particularly concerned about adverse impacts of the Bill on South Cubbington Wood, which is an outlying part of the Princethorpe Complex of ancient woodland, believed by experts to be a remnant of the forest which originally covered Britain and therefore in existence since the Ice Age. South Cubbington Wood covers 19 hectares, of which 2 hectares will be lost during construction of a cutting to accommodate the HS2 rail line, according to the Environmental Statement of 2013. The wood will be fragmented, damaging a precious habitat. In addition to the widespread loss of wood anemones, and bluebells and wood sorrel, all plant indicators of ancient woodland, 6 rare Wild Service Trees will be destroyed. Having studied the construction maps provided by HS2 Ltd, your petitioner is concerned that the ultimate loss of woodland could be as much as double the stated 2 hectares, taking into account the disturbance to trees, plants and soil by construction work.

9.5 Your Petitioner is also concerned about the impact of the Bill's proposals on public access to and enjoyment of woodlands particularly on access to and enjoyment of South Cubbington Wood. Your Petitioner has enjoyed walking in South Cubbington Wood since childhood and

believes that your Petitioner's enjoyment of this wood and that of future generations will be considerably diminished by HS2 works and construction activities affecting the wood. The wood is currently a valuable local amenity, easily accessible as it is on foot for residents of Cubbington village and by public transport from nearby towns. Indeed, it is unclear from the Environmental Statement whether the wood will be accessible at all during the period of construction.

Your petitioner believes that the proposed compensation for the loss of this ancient woodland is inadequate and unacceptable, and seeks an amendment to the Bill to provide for a bored tunnel under South Cubbington Wood.

10. **Champion Pear Tree**

Your petitioner is additionally concerned about the destruction of an ancient pear tree, noted as a champion tree on the National Tree Register. This tree is in the hedge adjacent to the wood and is believed to be 200 – 250 years old. Under current plans, it would be cut down and attempts would be made to take grafts from it, which HS2 Ltd admit could not be guaranteed to succeed.

Your petitioner seeks an improved strategy to preserve this pear tree.

11. **Viaduct over River Leam**

Your petitioner is also concerned about the impact of the proposed HS2 rail line on the Leam Valley, to the south of South Cubbington Wood. The proposed height of the viaduct over the river Leam is approximately 11 metres, with embankments either side of appropriate heights. HS2 Ltd confirmed at a bilateral meeting that this is about 5 metres higher than necessary to satisfy flood requirements. The line would thus cause significant visual and noise impact over a greater area than necessary.

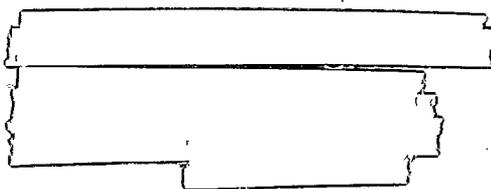
Your petitioner requests an amendment to the Bill to keep the height of the viaduct and therefore that of the connected embankments to the minimum.

12. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, so far affecting your Petitioner, should not be allowed to pass into law.

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 Petitioner 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 Petitioner will ever pray, &c.

Signed

A large rectangular area of the document is redacted with a thick black line, obscuring the signature and name of the petitioner.

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HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL
(LONDON-WEST MIDLANDS)
BILL

PETITION OF ROSEMARY GUIOT

AGAINST, By Counsel, &c.

