

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 MRS MARLENE JANE EMILY HILLS

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 a 61 year old widow, who is a self-employed accountant, and has lived at 36 Hodgetts Lane Burton Green Kenilworth CV8 1PJ since 14 August 1987 when her late husband and herself purchased this property. Her property will be directly affected by HS2.
- 8 Your Petitioner and her rights, interests and property are injuriously affected by the Bill, to which your Petitioner object for reasons amongst others, hereinafter appearing.
- 9 Your Petitioner's property is affected as follows. The proposed high speed rail track is to the front of her property approximately 75m. Opposite, to the right hand side of the property, a proposed structure entitled an Auto Transformer Feeding Station (ATFS) will be built and will be within 100m of her home. 36 Hodgetts Lane will be directly affected by the construction of the track and the proposed ATFS by noise, dust and vibration, which will affect our communication links, both electronic and transport. When HS2 commences your petitioner will be affected by noise and vibration as the cut and cover tunnel proposed ceases 7 houses before her own. The blight caused by the location of the ATFS will be to create an electrical field which will be injurious to her health. The ATFS will cause noise night time light pollution not currently occurring in the vicinity of her property. The petitioner suffers from asthma and with a dramatic increase in air borne pollutants during construction her health will be directly impacted. During the construction of the route a compound will be sited opposite her property further adding to the visual intrusion and blight. The Environmental Statement acknowledges the severe impact HS2 will have on properties on Hodgetts Lane.
- 10 Your petitioner works from home and has done so for the last 22 years. Her son, recently graduated, also works from 36 Hodgetts Lane. Any disruption to the current electronic, broadband and transport access will have a severe impact on this small practice and will impact on the petitioner's ability to earn a living making the practice unsustainable. As a consequence, this will also affect the timing of her retirement and the affording of retirement.
- 11 Your Petitioner asserts that she is unreasonably and unnecessarily affected by the HS2 railway in its current design as described in the Bill and supporting documents including the Environmental Statement. The Bill is unreasonable in that the proposed design is insufficient in mitigating the effects of the scheme both during the build and at completion, and significantly no account has been taken of the enormous impact of the scheme which runs directly through our village with the cut and cover tunnel ceasing half way on Hodgetts Lane exposing the remaining properties on the northern portal to increased noise, visual impact and intrusion.
- 12 Your Petitioner's property is described in the documentation as being subject to significant impacts during construction stage from noise, dust and airborne pollutants causing health related medical conditions, construction traffic and loss of transport and electronic links.
- 13 Your Petitioner's property is described in the documentation to suffer in perpetuity from noise and intrusion created by the operation of the proposed railway which will continue to prevent her peaceful enjoyment of her gardens and open spaces and will remain a constant visual intrusion. This will greatly reduce the future value of her property and her ability to provide for herself financially in the future with the repayment of her mortgage and other ongoing expenses.
- 14 Your Petitioner further comments that her property will be overlooked the ATFS which will cause problems in perpetuity by constant intrusive light, constant maintenance traffic but more importantly an electronic field extending to over her property with the resultant health implications.

- 15 Your Petitioner's business will be detrimentally affected during construction through interference with transport and electronic/broadband communications impacting on its continued viability.
- 16 Your Petitioner is one of the founding member of The Greenway Trust (Kenilworth to Berkswell) and for the past 26 years and 9 months has used the Greenway daily for walking her dogs, riding her horses, for the peace, tranquillity and enjoyment that the Greenway affords through wildlife, flora and fauna it provides.
- 17 Your Petitioner also notes the damage and destruction that will be caused as a result of the Bill and the lack of suitable mitigation on the local woodlands of Birches Wood, part of Crackley Wood, Broadwells Wood, Black Waste Wood and Little Pours Wood. These woods form part of the ancient woodland in our Parish with the former noted in Domesday and more recently Broadwells Wood noted in the Abbots of Stoneleigh's financial records of 1465.
- 18 Your Petitioner would like to relocate in the foreseeable future and downsize but has been unable to do so due to the vagaries of blight faced as a result of HS2 with her property becoming unsaleable and the lack compensation for it. Your Petitioner is concerned that the value of her property has been reduced with impact on her retirement.
- 19 Your Petitioner requests that the design of the proposed scheme in this area 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. She has observed that despite many requests during the 'engagement processes' since 2010 it has led her to believe that there exists arbitrary differences from region to region of the line with her specific area being grievously disadvantaged. Best design and mitigation as seen in other areas along with compensation has been noticeable by their exclusion in her area. It seems reasonable to ask that those affected by this scheme should be compensated without trivialising their requests as a result of direct impacts of this proposed and for the very best design and mitigation to be the acceptable solutions in the cause of mitigating human and environmental impacts rather than at present that a small group of people and their areas are being expected to bear disproportionate higher personal costs for a scheme purported to be in the national interest. She therefore respectfully requests that adequate mitigation in the form of tunnelling be established in order to prevent the severe blight that this Bill in its current form will impact on your humble petitioner and her community.
- 20 Your Petitioner specifically requests that full consideration is given to extending the northern portal of the tunnelling so that it extends at least beyond the last of the properties on Hodgetts Lane. Your Petitioner respectfully requests that the ATFS be relocated elsewhere on the National Grid Hodgetts Lane site away from human habitation.
- 21 Your Petitioner respectfully requests that for properties such as her own, which is severely blighted both in the construction phase and in the running of high speed rail, be fully compensated with compulsory purchase and have the facility of compulsory purchase even though it remains at this time marginally outside the compulsory purchase zone limit of 60m.
- 22 Your Petitioner respectfully requests that the Greenway is replaced in perpetuity to continue to provide a vital community and environmental link. This is especially important during the construction process as this will have severe and long-lasting impacts on the environment and surrounding communities.
- 23 Your Petitioner respectfully requests that HS2 use best practice on analysis and planning for the impact of HS2 on the aquifers which Burton Green Village is located in order to avoid the loss of such an important environmental asset.

- 24 Your Petitioner requests that HS2 carry out full archaeological evaluation and excavation on the areas on which they have been previously advised and as noted with English Heritage to include but not limited by the medieval deserted villages, defensive moat of 11<sup>th</sup> century and other ancient properties and sites along the route of HS2 in Burton Green Parish.
- 25 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.
- 26 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and their 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.

Name Marlene Jane Emily Hills      Signature 

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