

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 SANDRA PERKINS AND DAVID PERKINS

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 Petitioners Sandra Perkins & David Perkins, are the owners of two properties in Red Lane, 1 The Hollies, and the adjoining property, Ashorne. The latter was built on the Petitioners land, to house and care for your Petitioners mother. Both properties will be affected by the extent of construction works that will surround the properties. Noise and vibration, air quality, traffic, and property blight. The Petitioners have lived in Burton Green for thirty years, and moved here to enjoy the peace and tranquillity one would expect in a rural setting and being on an elevated position, the views.
- 8 Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
- 9 Your Petitioners are the owners of the two adjoining properties in Red Lane, 1 The Hollies and the adjoining property, Ashorne. The latter was build on the Petitioners land and to house and care for the Petitioners mother. Both properties will be seriously affected by the extent of construction work that will surround the properties. Noise and vibration, air quality, loss of greenway, traffic, and property blight. The Petitioners have lived in Burton Green for 30 years, and moved here to enjoyed the peace and tranquillity one would expect with a rural setting and being on an elevated position, the views.
- 10 Upon the death of your Petitioners mother, Ashorne was totally refurbished including a new kitchen, bathrooms, wooden floors and carpets & redecoration. This was to sell, to fund a pension. Your Petitioners had also obtained planning permission on 1 The Hollies, this was to extend to maximize its sales value, and make the property more saleable, this was to enable downsizing, and release further funds for a pension. This will be your Petitioners only income, as neither Petitioner has private or occupational pensions. The extension to 1 The Hollies commenced 5 years ago and got to footings stage, then, following the announcement of HS2, has remained so, your Petitioners cannot afford to complete the works, in the knowledge that it would be impossible to sell either property. The two properties adjacent your Petitioners properties are already unoccupied. One of the properties was put on the market 4 years ago after the announcement of HS2. The seller will now accept offers 40% below the initial valuation, and is still unable to attract any interest. Your Petitioners have recently received notification from HS2 declaring an interest in purchasing the bottom of the garden including the garages at 1 The Hollies. The Petitioners are effectively prisoners in there own homes, that they are unable to sell and can ill afford to live in.
- 11 Your Petitioners properties are amongst 14 properties to the south of the railway that are just outside the voluntary purchase proposal and will be isolated from the rest of the village by the new railway. Whilst the rest of the village will be largely unaffected by construction works, we must surely be one of the worst effected areas outside London, however, London will eventually benefit from the scheme. The Petitioners will be surrounded with works on both left and right hand sides, and to the rear, including, new roads to the right and left hand sides this is to transport spoil to a soil processing facility, this will result in 60 plus lorries per day across the front of the Petitioners property.
- 12 Your Petitioners respectfully request that some flexibility in the 'voluntary purchase scheme' in this small area south of the railway that is surely one of the most severely affected areas in the whole project
- 13 The Petitioners daughter, who has returned to live with the Petitioners, being in remission from leukaemia, having two small children under the age of three and being a disabled badge holder, requires assistance from her family. Medical research has proven a direct link to leukaemia and diesel fumes. The Petitioners will be subjected to diesel driven plant and machinery on all four elevations of their properties.

- 14 On completion of the construction, the Petitioners property will not benefit from the cut & cover construction that is being adopted through the village, as the Petitioners properties are beyond the southern portal and will therefore not only incur the noise from the trains, but also the blast from their entering and exiting the southern portal.
- 15 Your Petitioner respectfully request that the bored tunnel. 'Option F' be given further consideration.
- 16 The Petitioners walk their dogs along the greenway daily, Burton Green has no other parks, or public open spaces that would enable the Petitioners to unleash their dogs, the public footpaths are unsuitable, due to livestock issues.
- 17 Your petitioners assert that we are unreasonably and unnecessarily affected by the HS2 railway current design, as described in the Bill and in the supporting documents including the Environmental Statement. Unreasonably in that the proposed design is insufficiently effective at mitigating the effects of the scheme at completion, and more significantly in that little or no account seems to be taken of the enormous impacts caused by the proposed construction method – a cut-and-cover tunnel which bisects the village. We are unnecessarily affected as effective and technically feasible solutions are known to exist in the form of bored tunnels.
- 18 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, the Bill so far as affecting your Petitioners, should not be allowed to pass into law.
- 19 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 Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

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(LONDON-WEST MIDLANDS)
BILL

PETITION OF SANDRA PERKINS AND DAVID
PERKINS

AGAINST, By Counsel, &c.

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