

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 JAMES FIELDING and ALISON FIELDING

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 are James and Alison Fielding. Our property is 428, Cromwell Lane, Burton Green, Kenilworth CV8 1PG. It will be affected by construction routes, compounds, noise, vibration, and visual intrusion.
We have lived in Cromwell Lane and previously Red Lane for forty years, our children attended Burton Green school so we feel part of the community.
- 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 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. Your petitioners will be directly and significantly impacted during the lengthy construction phase. Surrounded on four sides by the HS2 line itself, the route taken by HGVs and two construction camps, the access road to one of which will run directly alongside our property.
- 10 Your petitioner's property is shown in the documentation to suffer in perpetuity from noise created by the operation of the proposed railway which will continue to prevent our peaceful enjoyment of gardens and outdoor spaces.
- 11 Your petitioner's property will directly overlook a construction site route which will cause major intrusion of noise, vibration, dust and possible damage to our property.
- 12 Your petitioners are regular users of the Greenway and local footpaths which will be lost during the construction phase and possibly forever.
- 13 Your petitioners are concerned at the loss of ancient woodland, particularly Broadwells Wood and part of Little Poors Wood which is directly behind our house. Ancient woodland is by its nature irreplaceable.
- 14 Your petitioners are regular users of Burton Green village hall which is scheduled for demolition. A venue which unites our village and is also used by the wider community. Your petitioners request that the relocation of the hall is completed in a suitable location prior to any HS2 construction work commencing.
- 15 Your petitioners have retired and the construction period will be at a time in our lives when we may need to downsize to a smaller, more manageable property which is closer to amenities. This could be through illness, bereavement or old age. No one would consider buying our house during the chaos of construction, potentially up to seven years, so we would be trapped. This is why the Voluntary Purchase Scheme should be extended to take account of our intolerable position.

- 16 Your petitioners request that the mitigation for the proposed scheme in Burton Green be re examined to provide compensation that is fair and just. A small group of people are being expected to bear financial, personal and emotional costs in the national interest.

- 17 Your petitioners specifically request that full consideration is given to one of the bored Tunnel proposals, for which that described as 'Option F' within HS2 documents would solve all of our individual concerns and of course those of many others in both this village and the wider area.

- 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

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FIELDING

AGAINST, By Counsel, &c.

JAMES FIELDING and ALISON FIELDING