

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 DEREK JOHN SILK

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 moved to live at 67A Red Lane Burton Green in July 1996 after my children left home and I have been retired for the last nine years. The rural countryside and peaceful views

have enabled me to enjoy living in the area and in particular in my retirement to follow my interests of Gardening, Walking and Village Activities. HS2 will completely ruin my enjoyment of living in the village as it goes through the centre of the village dividing it into two parts. It will therefore affect the facilities such as village hall, greenway, footpaths and the Public House I will also be affected by noise, dust, vibration congestion and the construction routes.

8 Your Petitioner 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 Petitioner objects to the bill as no consideration appears to have been given to the residents and the impact on their lives during construction and beyond when a deep bored tunnel F for which there already exists design options by HS2 would solve these problems. It changes my retirement plans and limits my access to the area to follow my daily life and follow my hobbies and interests.

10 Your Petitioner asserts 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.

11 Your Petitioner is according to the documentation going to be subject to a lengthy construction. It will mean therefore that I have to endure significant disruption to my retirement and daily life.

12 Your Petitioner will suffer from noise even when the proposed railway is in operation which will continue to prevent my peaceful enjoyment of gardens and outdoor spaces and give visual intrusion.

13 Your Petitioner will have the material grading pile and construction compound situated in Red Lane which will add to the congestion and cause problems.

14 Your Petitioner is a regular user of the Greenway and footpaths over the fields for walking enjoying the woodland and the bluebells in Broadwells Wood in April together with peace and tranquility and visiting the public house.

15 Your Petitioner also notes that the local woodlands and especially the ancient woodland in Broadwells Wood will suffer extensive losses.

16 Your Petitioner is a regular user of Burton Green village hall which is scheduled for demolition with obvious potential impact for the activities within the hall. Your petitioner request that the relocation of the village hall be achieved prior to the first construction impacts to prevent any break in operation and the community spirit. Built to decent spec. built in a decent place (not location at school)

17 Your Petitioner is concerned that as I get older I may have to downsize when I am unable to maintain the garden and property or require funding to support my pension. Due to the vagaries of E H S and that the value of the property has been reduced the future impact on my pension could affect my retirement.

- 18 Your Petitioner request 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. We note that despite many requests during the 'engagement processes' of the last four years the relative weightings of the SIFT criteria are still unpublished leading to our belief that decisions could have been made in an inconsistent or even arbitrary manner across different regions of the line, and that really the only factor with real effect is that of construction cost. Given that the proponents of the scheme seem unwilling to compensate all those that are affected by the scheme it seems only reasonable to ask for the very best design and mitigation and not just the cheapest as otherwise it is the case that a small group of people are being expected to bear disproportionate personal costs for a scheme nominally in the national interest.
- 19 Your Petitioner 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.
- 20 Your Petitioner is concerned that the village will not be able to cope with all the traffic during construction and the Public Transport is limited to one regular daily bus service the number 87 and the route is from Balsall Common to Coventry and this also goes through the centre of the village which will be difficult to access..
- 21 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 Petitioner, should not be allowed to pass into law.
- 22 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 Petitioners.

YOUR PETITIONER 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 Petitioner will ever pray &c.

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL
(LONDON-WEST MIDLANDS)
BILL

PETITION OF [Derek John Silk

AGAINST, By Counsel, &c.

D. J. Silk