

IN PARLIAMENT

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HOUSE OF COMMONS

SESSION 2013-14

**HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL**

**PETITION**

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 the **Stoneleigh Action Group**.

SHEWETH as follows:-

1. A Bill (hereinafter referred to as "the Bill") has been introduced and is now pending in your honourable House entitled "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 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 are specified in clauses 1 and 2 of and Schedules 1 and 2 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 and Schedules 2 and 3 to the Bill.
7. Your Petitioners are an association of local residents established in 2010 which represents the interests of many local residents in Stoneleigh Village and its neighbourhood, (comprising a population of up to 2500 people) particularly Crewe Lane, Stoneleigh Abbey, Stoneleigh Park and the neighbouring hamlet of Stareton, whose rights and interests are now and will continue to be directly and injuriously affected by the proposal to construct the proposed High Speed Rail and the works proposed by the Bill, particularly with regard to the route of the High Speed Rail as it passes through the locality of Stoneleigh. This Petition is presented with the support of both the Stareton Action Group and Stoneleigh Park Residents Association, being representative bodies of residents of the hamlet of Stareton and Stoneleigh Park.
8. The Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to take 10 years to complete and will include lorry movements, the creation of dust and noise, poor air quality, and 24 hour working. This will inevitably lead to severe intrusion and disruption to the quality of life for people who live in this area.

Furthermore the imposition of this scheme and its associated works during construction and after will affect the enjoyment of the area, have an intrusive effect upon this tranquil location by the imposition of noise, dust, vibration from the works, associated impacts from construction measures and upon commencement the intrusion of operational noise and visual intrusion into the landscape and the surrounding area."

#### **9. General Impacts of the Proposed Scheme.**

##### **Route.**

Your Petitioners are gravely concerned about adverse ground borne and wind borne noise and other intrusive impacts, particularly with regard to the section of route through the ancient parkland of Stoneleigh Park, across the River Avon, up to the B4115 and to the A46.

##### Remedy.

Your Petitioners petition with a view to securing the incorporation in the works of additional measures, consistent with and in furtherance of the consultation responses and submissions made by your Petitioners in conjunction with Stoneleigh Park Residents Association, local residents, La Salle Asset Management Limited (the owners of the former National Agricultural Centre or NAC) and others and the representations and submissions made at Community Forum meetings and in bilateral discussions with HS2 Ltd. However, regretfully no or any acknowledgement or meaningful responses have been received to any of such responses and submissions. This is despite that the Government Command Paper of March 2010 required its consultants therein "to reduce specific impacts on local environment and communities", and suggested therein "a cut and cover tunnel in the general NAC area". The Department for Transport nor HS2 Limited have complied fully with this Command Paper requirement.

Specifically, your Petitioners refer to the several representations made by Stoneleigh Park Residents Association, supported by your Petitioners, to HS2 Limited both in writing and in personal attendances on HS2 Limited engineers, that a 'cut and cover' tunnel be constructed from chainage 137500 to 139600 on the relevant drawings of the works through Stoneleigh Park. The enclosure of the line in a 'cut and cover' tunnel rather than being left in open 'cut' was the only part of the submissions and representations made by Stoneleigh Park Residents Association and your Petitioners not accepted to date by HS2 Limited. More recently La Salle Asset Management Limited has presented to the Department for Transport and/or HS2 Limited a detailed and costed proposal for a 'cut and cover' tunnel through the NAC site detailing the relatively modest cost of the 'cut and cover' proposal. This would permit a crossing of the River Avon in a covered crossing, (a highly desirable

the viaduct and across to the A46). This has been described as Option E in the LaSalle documentation.

**10. Passage Under The A46.**

Further, your Petitioners earnestly submit and request that the vertical alignment of the route as it passes under the A46 be reappraised with a view to a deeper bored tunnel being constructed to accommodate the route as it is planned to pass under the A46 thereby obviating the need for the major works to the A46 dealt with in paragraph 11 below.

**Roads.**

**11. The works to the A46**

Your Petitioners also requests and submits that the proposed works to the A46 under the Schedule of Works reference No 2/168A and 2/169 should be revised. The A46 is a major route and part of a national network of principal trunk roads and motorways linking the M40, M69 and M1. The works proposed involve a diversion laterally of one carriageway of the A46 to excavate and build a retaining structure for the route under and then to repeat the process to the other carriageway.

The A46 is a commuters route to and from Coventry City, the Westwood Business Park and Warwick University to the north of Gibbet Hill and to local schools and carries a huge volume off traffic at peak times, quite apart from the significant traffic flows, with heavy goods vehicles, during daytime. The major works contemplated can be expected to cause major disruption to traffic flows. Further, at a bilateral meeting with representatives of HS2 Limited it was stated that any costs associated with such chaos would have to be met by local councils and the Highways Agency. Your Petitioners object to such costs being so dealt with and submit that they should be borne as part of the costs of the HS2 project and local finances for road maintenance, pot hole repair be not compromised by such sharing arrangements.

*Remedy.*

The proposal dealt with above to provide a deep bored tunnel to the accommodate the rail under the A46 made in paragraph 10 above would obviate or reduce the extensive disruption to the A46 which the works described in the Schedule of Works contained within the Hybrid Bill.

### **Local Roads.**

11. Your Petitioners are concerned that as proposed, with lack of details and clarity, roads to the west of Stoneleigh village, namely the B4113 (Blackdown to Stoneleigh Bridge road), the B4115, namely the road parallel to the A46, connecting Finham Water Reclamation Works to the Chesford Crossroads, and Dalehouse Lane, may be simultaneously rendered impassable, creating traffic chaos, cutting off and rendering inaccessible the village of Stoneleigh from Kenilworth, Leamington Spa and Warwick from essential facilities and services, such as schools, medical practices and shops and from nearby villages and vice versa.

### **Remedy.**

Your petitioners request that a programme of road closures or diversions is scheduled such that roads are not simultaneously closed, and that such a schedule is devised with the cooperation and agreement of the Community, is clearly communicated to residents and strictly adhered so as to ensure that there is at least one access route for cars and pedestrians at any time between Stoneleigh village and Kenilworth and towns to the west within Warwick District, such as Royal Leamington Spa.

### **Impact of the Proposal to site the "Coventry Road" Construction Compound within the area.**

12. Your Petitioners are also concerned that the use of the B4115 as an access road to the Construction Compound (referred to as the Coventry Road Compound) may in itself create a de-facto road closure by the use of contractor's vehicles, construction vehicles during heavy excavation works, and that this is considered as a road closure in itself when the schedule is devised. The B4115 is an essential route to Crewe Lane, Stoneleigh Abbey residents, Ashow, parts of Kenilworth and (if other roads are closed) as an alternative route to Leamington Spa and Warwick. Your Petitioners are concerned that this route is available and open to traffic to and from Stoneleigh Village, Crewe Lane, Stoneleigh Abbey and its residents and Ashow at all times in an unimpeded way.

### **Remedy.**

One way to avoid this is to ensure that there is no direct access to the Compound off this route, nor off Crewe Lane and to maintain an access route directly off the Stoneleigh Road, close to the A46 junction.

### **Social and Contextual Issues.**

13. Your Petitioners respectfully bring to the attention of the Committee many of the representations and submissions of your Petitioners and residents of the local

community which have been made through Community Forums, bilateral meetings and our evidence to the Environmental and Compensation Consultations. Such submissions and representations have been consistently ignored, or no action has been taken on them, either by the Department for Transport and their representatives and official or officers of HS2 Ltd.

Stoneleigh village and its surrounding villages and hamlets - namely Stareton, Ashow and some small settlements - is home to about 2000 people. Many of the buildings are of historic value. Stoneleigh has around 60 listed buildings which make up a high percentage of its Conservation Area. The communities are closely knit, supportive and cohesive. Many residents are now at or beyond state retirement age, and many will be looking to move within the next 10 years. The village social life will need a smooth transition of residents in and out to ensure that it continues to function. There are many clubs and societies within the village which attracts people from both within and without. The general amenity value of the area is high and it attracts walkers and cyclists who come to enjoy its views and share in its tranquillity.

The ownership of a Listed Building creates obligations to owners to ensure the preservation of the few for the benefit of the many. The construction of HS2 will make these obligations impossible to fulfil as it is inevitable that damage will be caused by vibration due to passing traffic, including construction traffic (see below).

Great emphasis has been placed on the continued necessity for surrounding roads to be accessible at all times so that our children can get to school, our residents get to work, residents can go about their daily business, and - vitally - that blue light emergency services can get to the village and surrounding areas unimpeded. The latter is likely to affect older residents in particular, a group for whom immediate health care is also essential.

#### Remedy.

In view of the above, your Petitioners earnestly respectfully request that access to Stoneleigh village etc. for all construction traffic (including traffic specifically associated with the construction site) is clearly and unequivocally banned. This includes the use of the village as an access for workers going from one part of their working site to another. Your Petitioners are also concerned that the proposed residential compound is likely to cause difficulties for residents, and indeed for workers, especially given the total lack of facilities (shops etc.).

Your Petitioners also note that since the project was announced in March 2010 many residents have been placed under considerable psychological stress due to the uncertainty about the route and its implications and - more recently - the prospect

of a construction site that potentially involves more people than there are current residents. Residents' freedom of movement has been compromised as plans for down-sizing or up-sizing have been jeopardised. For some residents, the loss of value of their homes means that careful calculations about matters such as likely care home costs have been undermined, in turn adding to stress.

#### **Historic Fabric.**

##### **Stoneleigh Bridge. A Scheduled Ancient Monument.**

14. Your Petitioners earnestly request that the Scheduled Monument which is Stoneleigh Bridge, as a means of access by construction traffic, should be prohibited. This bridge is already suffering from excessive traffic use and is regularly damaged by cars and lorries, especially the latter, due to the restricted width. It is totally unsuited for lorries associated with a large scale construction project such as HS2 and the longstanding problems associated with inappropriate use has been a constant subject of debate between the village and the local councils and Highways Agency.

It is a stone bridge of medieval provenance, widened by Rennie in 1844, having 8 arches, two of which are over the water.

#### Remedy

To close Stoneleigh Bridge to all traffic associated with the construction of HS2 Ltd.

##### **Stare Bridge.**

15. Your petitioners are also concerned that the request to dis-apply Listed Building Protection under the Planning (Listed Buildings and Conservation Areas) Act 1990 to Stare Bridge should not be granted, as listed in Schedule 17 of the Hybrid Bill, page 355. This bridge is a significant local asset and is listed as Grade II\*, placing it as of national interest. To remove it from protection allows the Nominated Undertaker to take decisions about the amendment or demolition of the same during construction, (which should not be granted for such an asset) who can thus make decisions based on expediency with regard to the construction of the Proposed Route and for no other wider interest reason.

#### Remedy

To retain its listing status and to ensure that it is thus protected as it is now. All discussions then etc will be need to be handled during the usual course of progress, that is to make applications under the Planning (Listed Buildings and Conservation

16. Your Petitioners object to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submit that the Bill should be amended or undertakings should be required so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker **must review the concerns raised within this petition and the suggested remedies for the project and its related works by considering their cumulative impacts on communities.**

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

18. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner(s) and their rights, interests and property and for which no adequate provision is made to protect your Petitioner(s).



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 Petitioners in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c:

Signed *on behalf of the Stoneleigh Action Group.*

signature one \_\_\_\_\_

date *10th May 2014*

signature two \_\_\_\_\_

date *19. May 2014*

**On behalf of the Stoneleigh Action Group.**

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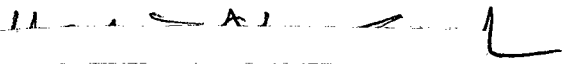
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Signed on behalf of the Stoneleigh Action Group.

Petitioner:



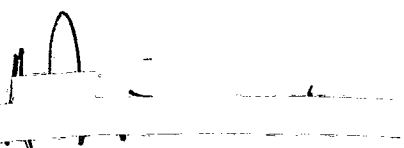
Name: Martin Alan Smith

Address:

Phone numbers:

Email: ai

Petitioner:



Name: Anthony Alexander Bianco

Address:

LA.

Phone number: 01

Email: bi