

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013–14

1003

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 MR ROBERT AND MRS SALLY DRUMMOND-HAY

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. We, your petitioners, live at Barrow hill Cottage, Mixbury, Brackley, NN13 5RR. We bought our cottage 22 years ago as a temporary measure, having had our isolated farmhouse on the edge of Otmoor ruined by the M40 running very close to the property. We had land compulsorily purchased and were driven out by the noise and disruption. We endured having construction traffic parked behind our yard overnight through the construction phase, with their reversing beepers starting any time from 5.00 am onwards. When the motorway opened we found the incessant noise unendurable and so we moved.

We are still here 22 years later because not only have we found Mixbury to be an exceptional community and we like the village way of life, but the surrounding tracks, footpaths, bridleways and single track lanes are ideal for dog walking and carriage driving, both of which we do regularly. We take not only our own grandchildren but the children of friends and neighbours out 'pony-carting', the greatest treat being a ride to Evenley Village shop to buy ice-creams.

8. Your Petitioner and their rights, interests, access to public rights of way, safety and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.

9. a. The bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to take ten years to complete. These powers include the closing of tracks, bridleways, footpaths and local roads which will make it impossible to continue carriage driving or 'pony carting' not only for safety reasons but because there will simply be nowhere left to go. It will be unsafe to let dogs run free where there is construction traffic, and construction to be undertaken, necessitating going by car to a suitable place to exercise dogs. For these reasons we will either have to give up carriage driving or move house.
 - b. The closure of the road to Fullwell will cut the Parish in two. It will cut our route to Stowe where we regularly attend church, necessitating us using the main road to Buckingham which will be bearing extra traffic because of the construction work.
 - c. The access from the A421 at the Barley Mow roundabout, where the A421 crosses the A43, will be extremely difficult because of the volume of construction traffic on the A43 from the M40 junction 10 to the construction site at Brackley. The roundabout at the A43 junction from Evenley will be similarly affected.
 - d. Junction 10 on the M40 is notorious for queues already. Additional construction traffic will only make the problem worse. It is fitted with signs indicating the danger of lorries falling over, but it is still regularly closed due to this happening.
10. a. We your petitioners require substantial compensation for loss of amenities.
 - b. There should be a bridge over the HS2 line to allow access from one part of the parish to the other and for the use of local traffic which will be particularly necessary during the construction stage when the main roads will be bearing extra traffic.
 - c. Both the Barley Mow and Evenley roundabouts should have traffic lights to allow local traffic to cross and to have access to the main road, the A43.
 - d. Junction ten on the M40 should be modified so that traffic accessing and leaving the M40 does not have to cross as it does now. It has a notoriously bad design which allows traffic to back up already. The extra traffic movements from the construction traffic will make it very difficult for local traffic which wants to use the B430
11. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, should not be allowed to pass into law.

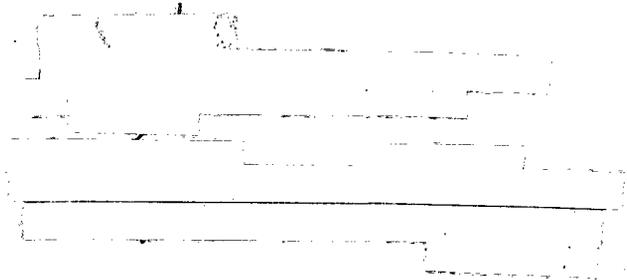
12. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners

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

AND your Petitioners will ever pray, &c.

Signed ROBERT DRUMMOND-HAY

SALLY DRUMMOND-HAY



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