

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

1005

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 NEIL TAYLOR FOR THE LORD CARRINGTON'S 1963 SETTLEMENT (1&2 FUNDS).

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 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 petitioner is Neil Taylor on behalf of the Lord Carrington's 1963 Settlement (Funds 1 & 2) (hereinafter referred to as the Petitioner). The Bill would authorise the construction and operation of the railway system and its associated development through Standall's Farm, Bishopstone, Aylesbury, which is owned by the petitioner which the Bill may directly and specially affect, and your petitioner objects to the part of the works outlined below.
8. Your Petitioner and its rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

9. *Noise and disturbance*

The Bill includes powers for the Secretary of State and the Nominated Undertaker for the use of the footpath SBH/28/2 for works access during construction works which will include lorry movements, the creation of dust and noise, poor air quality and 24 hour working which goes through the farm yard. Footpath SBH/28/2 goes through the farm yard of Standall's Farm and objection is taken to as it and use of such a route will cause considerable and unnecessary disruption to the operation of the farm.

10. *Diversion of overhead power line*

The Bill includes powers for the Secretary of State and the Nominated Undertaker to use a substantial area of Standall's Farm's fields for the realignment of the overhead power lines which cross the property. Objection is taken to the excessive land blighted during the construction phase.

11. *Acquisition of surplus land.*

The Bill includes powers for the Secretary of State and the Nominated Undertaker to acquire a substantial area of your Petitioner's land to the east of the cutting in which the proposed railway line is to be located which is not required for the construction of the railway. Objection is taken to the acquisition of land additional to that actually required for the construction and maintenance of the railway.

12. *Maintenance of operational farmland.*

The Bill includes powers for the Secretary of State and the Nominated Undertaker to create a high embankment to the east of the cutting in which the proposed railway line is to be located. Objection is taken to the acquisition of the area of land required to create this embankment rather than erection of a suitable fence adjacent to the railway that would require much less land being acquired.

13. *More logical access routes to operational land.*

The Bill includes powers for the Secretary of State and the Nominated Undertaker for the use of Footpath SMA/16 as a long term access route for the

maintenance and repair of the pumping station and flood pond to the east of the proposed railway and to the north of the diverted Princes Risborough to Aylesbury railway line. Objection is taken to the use of the route of Footpath SMA/16 as the construction and maintenance works which will include lorry movements, the creation of dust and noise and, poor air quality through the farm will disrupt the operation of the Standall's Farm and is in excess of 1,300 metres from the public highway.

14. *Noise and disturbance*

Your Petitioner objects to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submits that the Bill should be amended or undertakings should be required so that HS2 Ltd, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works, and in particular the use of the footpath SBH/28/2 for works access during construction works, by considering their cumulative impacts on Standall's Farm and consider the creation of a temporary route to the east of the farm yard.

15. *Diversion of overhead power line*

Your Petitioner objects to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submits that the Bill should be amended or undertakings should be required so that HS2 Ltd, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works by considering their cumulative impacts on Standall's Farm related to the diversion of the overhead power line, consider a significant reduction in the area of land required for the diversion of the overhead power line and also provide that access to these works is achieved from the Satellite Compound for the Princes Risborough to Aylesbury Rail Overbridge works area in order to minimise land take. In addition, your Petitioner respectfully submits that HS2 Ltd, the Secretary of State and/or the Nominated Undertaker review the construction strategy for the project regarding this overhead power line as ideally it should be totally diverted and buried underground as, to the north of Standall's Farm, they pass directly over the houses in Tolman Court which could be a danger to health.

16. *Acquisition of surplus land.*

Your Petitioner objects to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submits that the Bill should be amended or undertakings should be required so that HS2 Ltd, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works and only acquire land actually required to construct the railway. Your Petitioner respectfully submits that there is absolutely no need for HS2 Ltd, the Secretary of State and/or the Nominated Undertaker to acquire Standall's Farm's field between the railway and the eastern boundary of the farm.

17. *Maintenance of operational farmland.*

Your Petitioner objects to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submits that the Bill should be amended or undertakings should be required so that HS2 Ltd, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works by considering the construction of a suitably designed noise fence and associated planting immediately adjacent to the fence, rather than the construction of a very large embankment to the east of the railway which will require the acquisition of a considerable additional area of land. Your Petitioner respectfully submits that this would enable that part of the farm which is to the east of the railway to continue as operational farmland.

18. *More logical access routes to operational land.*

Your Petitioner objects to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submits that the Bill should be amended or undertakings should be required so that HS2 Ltd, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works, and in particular the use of the footpath SMA/16 for works access during construction works and as a long term access route for the maintenance and repair of the pumping station and flood pond to the east of the proposed railway and to the north of the diverted Princes Risborough to Aylesbury railway line. Your Petitioner respectfully submits that a logical and more efficient route for the access to this pumping station and flood pond would be from the A4010 Stoke Mandeville by-pass at, say, the point at which it crosses Footpath SMA/16 and westwards, under the realigned Princes Risborough

railway line. This route would be less than half the distance being approximately 560 metres in length.

19. In light of the above, your Petitioner reserves the right to raise the above matters and any further matters of concern relating to the substance of the High Speed Rail (London - West Midlands) Bill and this Petition that may arise from continuing discussions, the preparation and publication of reports, any possible revisions that may be made to current work site proposals or any other matters relevant to its expressed concerns that may occur in due course and prior to its representation before the Select Committee.
20. For the foregoing and connected reasons your Petitioner respectfully submits that, unless clause 14 and the relevant sections of parts 1 and 2 of Schedule 15; clause 30 and the relevant section of part 4 of schedule 15; clause 47 and the relevant section of Schedule 5 relating to the Parish of Stone with Bishopstone and Hartwell, of the Bill are amended or removed so far as affecting your Petitioner, as proposed above, then the Bill should not be allowed to pass into law.
21. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and its rights, (including its human rights) interests and property and for which no adequate provision is made to protect your Petitioner and other clauses and provisions necessary for its protection and benefit are omitted therefrom.

YOUR PETITIONER THEREFORE HUMBLY PRAYS your Honourable House that the Bill may not be allowed to pass into law as it now stands and that it may be heard by its 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 Petitioner and in support of such other clauses and provisions as may be necessary or expedient for its 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.

[Signature of Petitioner in person, or Agent for the Petitioner]

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF NEIL TAYLOR FOR THE LORD CARRINGTON'S 1963 SETTLEMENT (1&2 FUNDS)

AGAINST the Bill – On merits -By Counsel &c

[Faint, illegible text, likely a signature or stamp area]