

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2014-15

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 William Armstrong and Donna Elaine Mardle

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.

*Clauses of the Bill*

- 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.

*Your Petitioner*

- 7 Your Petitioners are the owners of a property in Pargeter Close, Greatworth which will be adversely affected by the construction and operation of the project outlined in the Bill. Furthermore, the Petitioners' rights, interests and property are injuriously affected by the Bill to which your Petitioners object for reasons amongst others, hereinafter appearing.

*Your Petitioner's Concerns*

- 8 SUMMARY: Your Petitioners have numerous concerns related to noise, light, dust, vibration, visual impact, proposed mitigation, location of the Greatworth Satellite Compound, traffic issues, working hours, adverse affects upon Public Rights of Way, severe detrimental impact upon property prices and the ability to sell and compensation for all of the above. These concerns are detailed below.

*Noise*

- 9 Your Petitioners are concerned that the noise levels used by the Promoter to determine the need for mitigation are significantly in excess of the baseline noise levels recorded for the rural areas of Northamptonshire in the Environmental Statement. Your Petitioners have lived in Greatworth since 1985, valuing the quiet rural location and the attendant quality of life. Your Petitioners consider that a daytime level of 40 dB(A) and a night-time level of 35dB(A) would be much more reflective of the prevailing conditions in a rural area and requests that the Promoter provide additional mitigation so that those standards are reached.
- 10 Your Petitioners are concerned that the suggested night-time maximum noise levels post-construction are at a level which will provoke sleep disruption. Your Petitioners already suffer from poor sleep and various health conditions which require rest, and are concerned about the adverse affect on sleep and health as a result of night time noise both during construction and upon operation of HS2.

Therefore, your Petitioners request that the night-time maximum noise level is set lower and with restricted rail activity during the night. Furthermore your Petitioners suggest a lowering of the green tunnel and introduction of additional screening, coupled with the provision of sound-proofing aids such as triple glazing to your petitioner to mitigate the impact of noise.

*Compound*

- 11 Your Petitioners are concerned about the visual impacts of the Greatworth Satellite Compound and of works authorised by the Bill including the temporary storage of earth works during construction. Your Petitioners are concerned about the impact of the proposed Greatworth Satellite Compound located just outside the village.

Your Petitioners believe that the open space and Public Rights of Way will be subjected to intense construction activity and will be seriously affected by noise, vibration and dust. There will also be severe visual impacts for the residents of Greatworth, particularly those living in Astral Row and Helmdon Road, and businesses at Greatworth Hall and Greatworth Park. As a result, there will be a significant reduction in the quality of life for your Petitioners and those living nearby as well as a reduction in viability for the businesses located at Greatworth Hall and Greatworth Park. Also, it will reduce enjoyment for users of the open space and Public Rights of Way.

- 12 Your Petitioners therefore request that the Greatworth Satellite Compound and Greatworth Auto Transponder be moved further from the village, and/or relocated at the other end of the tunnel ie. the western end of the village rather than at the Helmdon Road approach. However, should it be decided not to relocate the Compound, your Petitioners request that the effects of noise, dust and vibrations both during construction and operation are minimised. Furthermore, your Petitioners request that noise, dust and vibration monitoring equipment is installed at Greatworth (suggested sites are the primary school and either Astral Row or Helmdon Road) for the duration of construction, and a monitoring programme agreed with South Northants District Council, measuring noise, dust and vibration against maximum thresholds jointly agreed with South Northants District Council and at least in line with minimum guidelines. If monitoring shows that any of the noise, dust or vibration thresholds are exceeded, works should stop immediately until mitigation actions have been put in place and are demonstrated to be effectively containing the issues in line with the agreed thresholds.

- 13 Your Petitioners are concerned about the visual impacts of the Greatworth Tunnel portal buildings and the Greatworth Auto Transponder. As shown on the Zone of Theoretical Visibility maps accompanying the Environmental Statement, the construction activity and the operational use of the railway will be widely visible from

points of social and recreational activity across the village and from Public Rights of Way regularly used by your Petitioners.

Your Petitioners request that tree planting is carried out prior to any construction to ensure that screening is effective to some extent prior to construction.

#### *Compound – Access for Site Workers During Construction*

- 14 Your Petitioners are concerned about the impact of construction workers accessing the Greatworth Satellite Compound site and the impact this will have on the local road network. As up to 235 workers are expected to work from the site during 6 years of construction and projected construction traffic of 280-400 cars/LGVs plus 160-240 HGV journeys per day for 54 months, your Petitioners are concerned that increased traffic will produce additional risk, create significant congestion and increase pollution in the surrounding area. Your Petitioners live in a cul-de-sac close to the Greatworth Primary School and Pre-School. There is an existing bottleneck in traffic movement and parking during school drop-off and collection time with parking along Helmdon Road and Pargeter Close. Helmdon Road is also used as the bus route. In icy conditions, this section of road is additionally hazardous with residential on-street parking and single lane traffic. Your Petitioners are highly concerned about the health and road safety implications of additional traffic from the Satellite Compound. Your Petitioners suffer from on-going lung problems, aggravated by air pollution and are deeply concerned about deterioration in air quality and the impact on the personal health of your Petitioners. Your Petitioners strongly request that all construction traffic, HGV, LGV and workers associated with the construction of HS2, use specified routes avoiding passing through the village of Greatworth and that this be strictly enforced.

#### *Working Hours*

- 15 Your Petitioners object strongly to the working hours set out in the draft Code of Construction Practice. During construction of the green tunnel, the Bill allows work to continue 24 hours a day and 7 days a week. Your Petitioners and other residents of Greatworth will be subjected to non-stop exposure to noise, dust, lighting and vibration from the construction work. This could continue for many years and may result in long-term sleep deprivation or sleep disruption as well as reduce enjoyment of simple things such as sitting in the garden. Your Petitioners request that construction working hours be reduced to avoid night-time work and curtailed in the evenings, week-ends and Bank Holidays.

#### *Traffic*

- 16 Specifically, on some highways, and notably the Welsh Lane B4525, the additional volume of large vehicles will cause the edge of the carriageway to break up, creating an additional safety problem. This stretch of road has been the scene of many accidents and "derailments" including vehicle damage, personal injury and fatality

and damage to adjoining land/property. Your Petitioners use this stretch of road daily and are very concerned for personal safety for themselves and all road users.

Your Petitioners seek a commitment that on the most heavily used construction traffic routes, the Promoter will undertake to fund such strengthening or widening of the carriageway as jointly identified with an appropriate body as necessary, before significant use by construction traffic commences. Your Petitioners also request the implementation of a maximum speed limit of 50 mph along the entirety of the Welsh Lane.

- 17 Your Petitioners are concerned that the additional volume of traffic on local minor roads and the increase in large and heavy vehicles on the B4525 will cause such deterioration of the carriageway during construction so as to cause significant road safety problems.

Your Petitioners seek commitment that the Promoter will provide sufficient additional budget for the timely repair and maintenance of highways, and for the gritting [where this is not already implemented] in adverse weather of all local roads affected by diversions and increased traffic. Some of these minor roads are not on the Northamptonshire County Council list of roads to be gritted. If the County Council have to grit these roads, some other roads that would otherwise be gritted, may not be gritted. Also, your Petitioners request that NCC should not bear any additional costs of gritting as a result of HS2.

- 18 Your Petitioners request the construction of a roundabout accompanied by a surrounding 30 mph speed limit at the western end of the village of Greatworth, joining the Welsh Lane B4525, to provide a more safe exit from the village by means of slowing oncoming traffic, improving visibility of and for traffic leaving the village and providing a safer means of exiting the village, particularly if turning right across the Welsh Lane.

*Line Height- Limits of Deviation*

- 19 Your Petitioners are concerned about the height of the railway line in the proximity of Greatworth. At the time the Greatworth green tunnel was proposed, the height of the line and the length of the green tunnel offered some mitigation to your Petitioners and the villagers living nearby. However, in January 2012, the design was changed including raising the height of the line by 8 metres resulting in the shortening of the green tunnel.

Your Petitioners are further concerned that the limits of deviation contained in Schedule 1 of the Bill allow the vertical elevation of the route to be increased by up to 3 metres beyond that considered by the Environmental Statement. Your Petitioners are concerned that such alterations could have a significant additional impact on its communities and environment beyond that so far identified, and therefore seek Schedule 1 to be amended so the height of the line and the length of the green tunnel revert to the pre-January 2012 design, with a restriction to the maximum vertical change of plus 1 metre

change to the height of the line from the pre-January 2012 design if this is absolutely necessary for the section affecting the Greatworth Green Tunnel and surrounding area.

#### *Green Tunnel*

20 Your Petitioners support the construction of the Greatworth green tunnel as proposed by the Bill. This would help to alleviate a number of concerns that your Petitioners have if it was restored to at least its original Pre January 2012 height and length. Therefore, your Petitioners request that the Greatworth green tunnel remains part of the Bill and is preferably lengthened to help reduce some of the concerns of noise, vibration and visual impact. Furthermore, your Petitioners who are concerned about the impact of the train on wildlife, request the extension of the Greatworth green tunnel on the basis of having considerable extra benefit to the local population of bats and barn owls. The main foraging route is along the disused railway line east of Greatworth Hall and without the extension of the tunnel, it is accepted that any bat or owl nesting within 1.5 kilometres of the line would otherwise be killed by the train

#### *Risk Assessments*

21 Your Petitioners are concerned at the lack of detailed risk assessments of potential derailments close to populated areas. The Greatworth green tunnel is close to the village and should a derailment occur at the entrance/exit portal of the green tunnel, your Petitioners wish to know what mitigation will be in place to protect the local community. Also, your Petitioners wish to know what emergency procedures are in place for evacuation of passengers in the event of derailment or breakdown within the green tunnel.

#### *Information*

22 Your Petitioners wish to express concern and disappointment at the poor provision of information supplied by the Promoter. Prior to the deposit of the Bill and since the Bill has been deposited, the Promoter has continually failed to provide necessary paperwork and parts of the Environmental Statement were missing during the consultation stage. Information presented has often been inadequate and conflicting and at meetings there has been a lack of understanding of local conditions. This latter point is of concern with regard to noise levels, construction traffic routes and mitigation measures. Supplementary information such as the Code of Construction Practise has remained in draft form. It is difficult for a lay person to fully understand all the information, particularly the technical information, and therefore commenting on the project has been particularly difficult. Your Petitioners request the right to consult and comment on the final version of the CoCP and any other relevant documents that are produced, prior to construction taking place. We also request that in future, all information is made available in a timely manner.

#### *Compensation*

- 23 Your Petitioners object to the inadequacy of the compensation scheme. Your Petitioners have lived in Greatworth in the same property since 1985. The key reasons for choosing this property were the quiet location and the rural quality of life. These positive aspects were reflected in the higher price paid for the property than would otherwise would have been the case in a more urban or noisy environment. The property of your Petitioners has clearly been significantly devalued due to the proximity of the high speed rail line. Based upon the actual experiences of other villagers in Greatworth who have been seeking to sell their property since the announcement of HS2, your Petitioners' on-going ability to sell their property is significantly jeopardised. However, they are not entitled to compensation under the current scheme as their property is outside the 300 metres limit for compensation but is situated within the village of Greatworth and will be subjected to significant disruption from noise, dust, lighting and vibration from construction work, disruption to Rights of Way and road closures. There has already been a severe impact on the price of their property and the ability to sell their property has been compromised. Your Petitioners question why they should accept this reduction in their personal wealth and strongly request that compensation be paid to any property owner, and not just in the case of extreme hardship. Furthermore if a property owner is unable to sell their property directly as a consequence of the buyers' unwillingness to purchase due to HS2, your Petitioners request that the Promoter purchases the property of any property owner, with the purchase price including recompense for the devaluation in property price arising from HS2.

*Conclusion*

- 24 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, the Bill should not be allowed to pass into law.
- 25 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.

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