

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against the Bill – Praying to be heard, &c.

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION of

**(1) Timothy Jeffrey Griffiths , Greatworth**

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 Handscape 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.

- 5 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.
- 6 Your Petitioner is a landowner and farmer who lives in the Parish of Greatworth to which the Bill will affect. Some of your petitioners land will be compulsory acquired. He is the freeholder of Whitmans Farm and is a property owner residing at 10 Pargeter Close, Greatworth ,Banbury, Oxon OX17 2DS.
- 7 Your Petitioners owns land, rights, interests and property that will be affected by the works proposed under the bill. This includes land subject to compulsory acquisition, suffering changes to access points and footpaths that will be temporarily moved and or, temporary closure to footpaths, are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
- 8 **Clear statement of the reasons why the petitioners objects to the Bill**
- 9 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.
- 10 Your petitioner is concerned that the footpath AN40 according to the Proposed Scheme, and after the construction work has finished will remain in place, thus cutting off the corner of the field making farming the land difficult.
- 11 Your petitioner requests that the footpath AN40 be returned to it's original line along the edge of the field, rather than the new longer route proposed after the construction works are complete .
- 12 Your petitioner is concerned about the temporary footpaths AN4 and AN40 that will run temporarily across the southern boundary of Greatworth Park and across the land. Your petitioner is of the understanding that HS2 intend to purchase this bit of land on which to put the temporary public right of way diversion.
- 13 Your petitioner requests that this strip of land not be purchased, if it is purchased then, Your petitioner requests that the temporary footpath diversion should run along the edge of the field and not through the middle of the field as it is currently , making it difficult to farm the land. Your petitioner requests that the footpath remain running along the edge of the field after construction works are complete.
- 14 Your petitioner has requested a new access gate point for field NN164627. The planned works and according to the Draft ES statement the current access gate is to be removed when construction work commences.
- 15 Your petitioner requests that a new access gate is put in for the field NN164627 along the hedgerow to enable access to this field to continue without interruption before

construction work begins, Your petitioner request that the new access point is either put back to it's original place after construction work is complete , or the new access point to remain in it's new location. The land is used for livestock so your petitioner must have a new access point for this reason.

- 16 Your petitioner is concerned about the visual impacts of the Greatworth Tunnel satellite compound, construction of works authorised by the Bill including the temporary storage of earth works, The loss of Halse Copse, 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 visible from your petitioner's land.
- 17 Your petitioner requests that the area is unsuitable for a worksite but that if it has to be there, then the best means available for minimising noise, dust and vibrations both during construction and operation are utilised. Furthermore, your petitioner requests that dust levels be monitored in particular as he is concerned it may affect the health and well being of his animals that graze on his land that will be close to the construction works.
- 18 Your Petitioner requests that the Greatworth tunnel be extended along the line of the route towards Radstone so that the train does not emerge too soon to be seen by your petitioner from his land.
- 19 Your Petitioner suggest that the Greatworth Green Tunnel should be extended to the south east past Greatworth Hall which would provide visual and noise mitigation.
- 20 Should the tunnel not be extended then your Petitioner suggests that the landscape earthworks be extended on both sides of the railway which would provide visual and noise mitigation.
- 21 Your petitioner is very concerned about the temporary closure of the Helmdon Road which will result in considerable challenges for him to gain access to his field NN164627 as well as his contractors who use this road.
- 22 Your petitioner is in agreement with the construction of a green tunnel in between Helmdon Road and Sulgrave as authorised by the Bill.
- 23 Your petitioner is in agreement that the green tunnel remain part of the Bill.

### **Compensation**

- 24 The compensation regime set out in the Bill is inadequate and must be improved. In any event, any payment of compensation that is due to your Petitioners must be made as early as possible and must carry interest at a rate higher than is proposed under the Bill.
- 25 Your Petitioners contend that specific tax allowances should be included within the Bill to assist agricultural land owners who otherwise are prejudiced by construction of the

railway. Your Petitioners believe it to be inequitable that compensation for a Government scheme is subject to Income Tax and Capital Gains Tax and suggests that such taxation should not apply to the compensation payment.

- 26 Should taxation be levied on the compensation then specific tax allowances should include but not be limited to an extension of the time limits for purchase of replacement land under Rollover Relief from Capital Gains Tax and consideration of the full extent of the farm prior to the construction of HS2 when assessing properties at a future date for Agricultural Property Relief from Inheritance Tax.
- 27 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, clauses ..., so far affecting your Petitioners, should not be allowed to pass into law.
- 28 There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

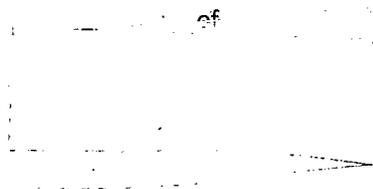
YOUR PETITIONERS therefore humbly pray your Honourable House that the Bill may not be allowed to pass into law as it now stands and that they may be heard by their Counsel, Agents and witnesses in support of the allegations of this Petition against so much of the Bill as affects the property, rights 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 petitioner will ever pray, &c.

AGENT ON BEHALF OF MR T. GRIFFITHS

HIGH SPEED RAIL (LONDON – WEST MIDLANDS)

PETITION



AGAINST,

BY COUNSEL, &c.