

IN PARLIAMENT
HOUSE OF
COMMONS
SESSION
2013 - 2014

HIGH SPEED RAIL (LONDON TO 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 David and Eileen Edwards

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.
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.
7. Your Petitioner is **David and Eileen Edwards** (hereinafter referred to as 'the Petitioner'), **the owner's of the Barn House, Chapel Road Greatworth, OX17 2DT. This property lies within a conservation area in the centre of Greatworth . It is an extremely quiet and peaceful location and has been our family home for the last 16 years. The proposed route of HS2 comes within half a mile of our home and the proposals for the construction period which will last for 6 and a half years will make life unbearable for us as a family. We had our house on the market last summer for 8 months and dropped the price twice until it was £100,000 less than the valuation we received in March 2013. We did not have a single offer and the railway was sighted as being the major reason for this. It is hard for us to demonstrate exceptional hardship, so we are not covered by this scheme. We are clearly personally affected by the proposals for this railway as we moved to this village to enjoy a quiet and tranquil environment, the construction and operation of HS2 will destroy this peace and tranquillity to such an extent that we wish to move, however despite our best efforts to market and sell our home we are unable to do this at a realistic price.**

Noise

8. Your petitioner has concerns with regards to matters of noise and vibration caused by the construction and operation of the high speed railway. Your petitioner is concerned as there appears to be no mechanism in the Bill to deliver a properly noise mitigated railway and reduce the impact of noise on the tranquillity of South Northamptonshire, which has recently been ranked as the third best place to live in the whole of the United Kingdom by the Halifax Building Society. South Northamptonshire Council has carried out local noise monitoring, and has evidence that the local dBA level is typically between 25 and 35, measured at six locations in the district within 200m of the proposed line, a mere fraction of what it will be once the proposed railway line is in operation. Noise is one of the most widespread concerns in this community, and many of the mitigation requests are related to a desire to reduce the intrusive noise of ultra high speed trains in this currently tranquil countryside. Of particular concern is the high level of noise expected as the trains enter and exit the green tunnel portal building which is now located in the centre of the village opposite Astral Row.
9. Your petitioner requests that the Promoter or Nominated Undertaker be required to provide mitigation to reduce the nuisance where ambient dBA noise levels are either predicted to be or turn out to be more than 40 dBA during the day or 35 dBA at night time. Extending the green tunnel proposed for Greatworth ,East of Greatworth Hall to just past the old disused railway will help to achieve this. If this is not possible a continuous or overlapping bund of sufficient height to mitigate noise, positioned between the railway and Greatworth village must be provided. In addition reducing the depth of the line to that which was shown in the January 2012 proposals so it is in a cutting as it passes the village is also requested to reduce the noise impact on the community.

10. Further, your Petitioner requests that as the main driver for the proposed railway is apparently no longer speed, and as noise is directly related to speed, the night-time running speed of the railway in rural areas should be limited to no greater than 200kph during the last two hour of operation in the evening (anticipated to be from 10.00pm till midnight).

Visual Impact

11. Your Petitioner is very concerned about the visual impact on the Greatworth community of the unsightly tunnel portal building and associated hard landscaping and associated buildings such as the transponder building. Raising the level of the height of the line and moving the entrance to the green tunnel (which occurred in the latest proposals post January 2012) has made this situation far worse. The photomontage, which accompanied the Environmental Statement, shows and clearly states the major adverse visual impact this will have on the very rural landscape.
12. Your Petitioner requests that the height of the line is lowered back to the January 2012 level which is approximately 8 metres below the current proposals. In addition your Petitioner requests that the Greatworth Green tunnel is extended slightly East of Greatworth Hall to just past the disused railway line. This will reduce the adverse visual impact of the portal buildings and associated hard landscaping on the community and preserve the rural nature of this area.

Ecology and Wildlife

- 13 Your Petitioner is concerned about the major adverse impact this railway will have on the local ecology and wildlife. Of particular concern is the anticipated destruction of all bats and barn owls which live and forage within 1.5Km of the proposed railway as these are, as stated in the Environmental Statement , all likely to be killed as they will collide with the trains.
- 14 Your Petitioner requests that the proposed green tunnel for Greatworth is extended East of Greatworth Hall just past the disused railway line. The disused railway line as shown in the maps accompanying the Environmental Statement is a major foraging route for local bats and barn owls and therefore if the green tunnel was to extend over this they could safely fly over the green tunnel and not collide with the trains.

Compensation

- 15 Your Petitioner submits that the compensation provisions in relation to our property in Greatworth that is not compulsory acquired and unlikely to be covered by the "pressing need to sell" provisions are not sufficient to compensate your Petitioner adequately for the loss and damage they will incur as a result of construction and operation of the high speed railway and associated development. It is a basic human right to be able to relocate to another area if that suits the needs of the family .The proposals for HS2 has blighted our property and made it impossible to sell and impossible for us to relocate without incurring major personal financial loss.
- 16 Your Petitioner requests that the Bill should be amended to ensure your Petitioner and other persons outside the safeguarding area who are injuriously affected and adversely

affected by loss of value should be entitled to claim compensation. If they choose to move away to reduce the adverse impact of the railway on their family they should receive the full unblighted value of their property and not have to demonstrate exceptional hardship or pressing need to sell.

YOUR PETITIONER 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 such of the clauses and provisions of the Bill as affect the property, rights and interests of your Petitioner 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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AGAINST, By counsel, &c

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