

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013–14

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 JAMES WILLIAM JENNINGS AND MRS JANET JENNIFER JENNINGS

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. Your Petitioners` James William Jennings and Mrs Janet Jennifer Jennings of Karen, Portway Road, Twyford in the County of Buckinghamshire. Your Petitioners` are pensioners and have lived in their privately owned property for over 28 years which is some 550 meters from the proposed HS2 route. Therefore your Petitioners` residential property will be subject to intolerable noise, dust, visual impact and vibrations for many years during construction.
8. Your Petitioners` and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners` object for reasons amongst others, hereinafter appearing.
9. The Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to take 10 years to complete and will include lorry movements, the creation of dust and noise, poor air quality, and 24 hours working. This will inevitably lead to severe sleep deprivation for both your Petitioners` in their elderly life, and considerable health concerns for Mr James Jennings who has had a quadruple heart by-pass and diagnosed with COPD.

Your Petitioners` are gravely concerned about the impact of the proposed construction route at the rear of their property which the open space is used to

exercise their dogs for some eight months a year. Your Petitioners` anticipate that the open space your Petitioners` regularly uses will be surrounded by intolerable construction activity.

Your Petitioners` request that the area is unsuitable for a worksite but that if it has to be there, then the best means available for minimising the noise, dust and vibrations both during construction and operation are utilised. Furthermore, your Petitioners` request that noise, dust and vibration monitoring equipment is installed at their property Karen, Portway Road, Twyford for the duration of construction, and a monitoring programme agreed with the local authority is undertaken. If monitoring shows that the noise thresholds are exceeded work should stop immediately.

10. Your Petitioners` parish is in a very quiet, tranquil area of countryside, much of which is situated at the end of no-through roads with no passing traffic. As a result the ambient noise is very low and the area is recognised by the CPE as being an area of very low light pollution.

In September 2012, a baseline sound survey was carried out at St Mary`s House, taken as an example of the area the parish most affected, and this has been allocated the "noise receptor" ID 288448.

Appendix SV002-013 Table 1, lists the results of this survey with the daytime noise level as 50.4dB and night as 39.9dB.

Your Petitioners` considers that a maximum daytime level of 40dB and a night time maximum level of 35dB would much more reflective of the prevailing conditions in the parish of Twyford and requests that the Promoter provide additional mitigation so that those standards are reached.

It is the opinion of your Petitioners` from the evidence set out in the Environmental Statement that the mitigation proposals are insufficient to protect your Petitioners` from the increase in noise levels that are predicted.

Your Petitioners` respectfully suggest that the following measures taken as a package would improve the position of those residences within your Petitioners` parish.

Move the line further away from the village of Twyford.

Reduce the speed of the trains as they pass the village. Speed reduction will not only significantly reduce the noise but also allow greater route flexibility to avoid village blight.

Increase the height of the bund to above the pantograph level as this will inevitably reduce the overall noise levels.

Your Petitioners` note that the height of the bund is not stated in the Environment Statement but it is assumed to be 5 metres above the track level.

OR Preferably, lower the track level. If the track level is lowered, and assuming that the bund is maintained at its proposed height, it will reach nearer to the pantograph level and hence be more effective at reducing noise.

Plant trees along the old Great Central Railway footprint in the first year of construction such trees to be of native species to provide an additional sound barrier that will have time to grow before the operational phase is attained. Your Petitioners` would welcome such a step as early planting could have a benefit in respect of reduction of dust and air pollution during the construction phase.

Your Petitioners` are particularly concerned that access from the village of Twyford to the village of Steeple Claydon is maintained for vehicular traffic at all times during the construction phase. Steeple Claydon is the nearest location for doctors and as such unfettered access is vital to the people of Twyford. Your Petitioners` ask that the Promoter gives this undertaking. Should the Promoter be unable to give such an undertaking you Petitioners` request that the Promoter, at its expense, makes alternative arrangements with the practice in Steeple Claydon for the provision of General Practice services within Twyford.

Your Petitioners` are similarly concerned that disruption of access to Twyford may cause difficulties for the emergency services to attend incidents and emergencies in Twyford within their allowed response times. Your Petitioners` therefore requests that the Promoter, at its expense, undertakes to make available alternative services, possibly based at the IMD, to alleviate this risk.

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.

11. 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`.

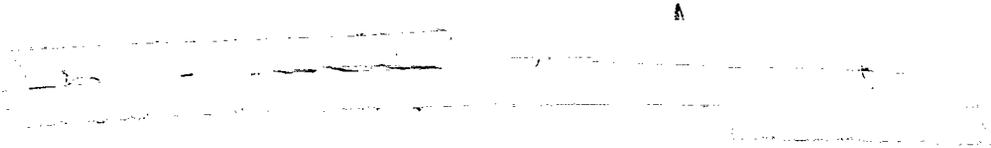
YOUR PETITIONERS` therefore humbly pray your Honourable House that the Bill may not be allowed to pass into law as it now stands and that they may be heard by their Counsel, Agents and witnesses in support of the allegations of this Petition against so much of the Bill as affects the property, rights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



JANET JENNIFER JENNINGS



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