

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013–14  
High Speed Rail (London – West Midlands) Bill

Against the Bill – 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 The Lionel Abel-Smith Trust, Registered Charity No 274879

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 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 Secretary Patrick 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, 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 compulsory acquisition, the extinction and exclusion of rights over land, the temporary possession and use of land, planning permission and deregulation in connection with, inter alia, heritage and environmental matters. Clauses 37 to 52 deal with railway matters, nominated and statutory undertakers, regeneration and reinstatement and further high speed rail works. Clauses 53 to 65 contain miscellaneous and general provisions.

4. The nominated undertaker (defined in the Bill and hereinafter referred to as “the nominated undertaker”) is authorised by the Bill to construct and maintain the works specified in Schedule 1 to the Bill being works for the construction of Phase One of High Speed 2 and works consequent on or incidental to such works. These works are called “the scheduled works”.

5. Your Petitioner's properties lie within the area shown in the Environmental Statement which will be impacted by the construction and operation of HS2. Your Petitioner is the Lionel Abel-Smith Trust (Charity No.274879), a voluntary organisation with full charitable status founded in 1977. Its Aim is to provide benefit for residents and organisations in genuine need within the Parish of Wendover and the Moor Park estate. The Trust is dependent on the rental income from properties in Pound Street and High Street, Wendover which the Bill may directly and specifically effect. These 16 properties were bequeathed by the late Lionel Abel-Smith, Lord of the Manor of Wendover, to form the Trust.

6 Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

7 Your Petitioner is concerned that the installation and operation of HS2 will reduce demand for living in Wendover, particularly within the proximity of the route. A negative effect on the Trust's income due to reduction in both property and "fair" rental value caused by construction and operation of HS2 will significantly reduce the value of the Trust's fund and beneficial capacity of the charity, consequently having an adverse effect on the whole community. The income provided by the properties and subsequently awarded in grant aid affects the functioning of numerous clubs and societies within the village in addition to the well-being of many individuals. Therefore your Petitioner requests an indemnity to remedy any damage, claims, demands, proceedings, costs, damages, expenses and disruption arising from the construction and operation of the high speed railway and associated development.

8 The historic, listed Properties along Pound Street, Wendover are not compulsorily acquired for, but there are concerns among other matters: structural damage to the property from construction vehicles and works, settlement impacts from noise and dust, impacts on visual amenity, interference with access, interference with supplies of services and for injurious affection caused by the construction and operation of the high speed railway and associated development. Your Petitioner requests a provision to enable such claim to be made separately from any claim for compensation in respect of the acquisition of land or interests under the powers of compulsory acquisition in the Bill.

9 Your Petitioner is also concerned that these properties are Listed therefore installation of noise insulation may be prohibited or would be very expensive. Your Petitioner requests that the issue of Listed Buildings Consent and the requisite installation is undertaken and funded by the nominated undertaker with consultation and the agreement of your Petitioner.

10. Your Petitioner is concerned that the construction and operation of the high speed railway and associated development at Wendover and on the wider area will impact significantly upon the quiet enjoyment of the properties and the entire neighbourhood by way of noise, disturbance, visual intrusion and considerable traffic increases. Your Petitioner believes that a fully bored tunnel through the AONB would be the solution to these issues and would not only protect the asset value of your petitioners properties but also the immeasurable heritage value of the entire AONB including the historic town of Wendover.

11 Your Petitioner requests that the nominated undertaker is subject to binding mitigation measures to mitigate the impacts of the works at the Wendover Green Tunnel. These binding mitigation measures should include but not be limited to restrictions on noise, dust, vibration construction hours, vehicle movements, operating hours, design of structures. Monitoring of compliance with these restrictions would be required and your Petitioner suggests this is carried out by the Local Environmental Health Department, funded by the Contractor.

12 Your Petitioner is concerned that there is potential for disruption of utilities and services to the properties which could cause considerable problems to our tenants. Your petitioner requests that the nominated undertaker should be subject to binding mitigation measures in respect to disruption of services and have in place a contingency plan in anticipation of such potential disruption. The binding proposals should include implementing

alternative arrangements prior to any relocation of utilities and indemnify your petitioner from any loss or damage arising from such work.

13 Your Petitioner is aware that some of its properties are of thatched roof and certain tenants have impaired mobility. The need for quick access of emergency services in the event of fire or other emergency is therefore essential and your petitioner is most concerned that increased congestion on the roads due to construction traffic may so hinder the arrival of emergency vehicles as to cause both loss of life and loss of buildings, let alone contents. This is a matter of extreme gravity and your Petitioner requests that the Nominated Undertaker draws up a full Emergency Services Access plan prior to commencement of any work, that this plan is agreed by Wendover Parish Council and approved by the County Council. Your Petitioner also wishes to be given an indemnity from any damage or loss caused by delay in Emergency Service arrival due to effects of the construction of HS2.

14 Your Petitioner wishes to fully endorse the Petitions submitted by the Chilterns Conservation Board, Wendover HS2, the Chiltern Society and Wendover Parish Council. Your Petitioner humbly requests that sincere care be put into the consideration of all these Petitions, for the sake of future generations to come.

YOUR PETITIONER therefore prays your Honourable House that the Bill may not be allowed to pass into law as it now stands and that he may be heard by Counsel, Agent and witnesses in support of the allegations of this Petition against such of the clauses and provisions of the Bill as affect the rights and interests of your Petitioner and in support of such other clauses, amendments or provisions as may be necessary or expedient for his protection, or that such other relief may be given to your Petitioner as your Honourable House may deem meet.

On behalf of the Petitioner – The Lionel Abel-Smith Trust

Member representing the above-named Petitioner

WENDY GRAY, One of the Seven Trustees

Signature of  
Petitioner: .....



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