

**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 Anthony Charles Sutton

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 Petitioner lives at Mount Pleasant, Uttoxeter Road, Blithbury, Staffordshire, WS15 3HU. I have lived there with my wife and family for almost six and a half years. My wife and I have five children, three of whom are of school age and live at home. Our eldest daughter is currently at University in Exeter and stays with us during her holidays. My youngest daughter, Polly, is six and a half years old and was born with a very rare syndrome and has a number of disabilities which require her to attend hospital in Birmingham and Nottingham for monitoring. My wife gave up work as a Special Educational Needs teacher to help Polly whilst she was younger and to be available for her if we need to attend to any issue whilst she is at school. Polly's disability living allowance was withdrawn last year.

Your Petitioner runs a business which provides employment law and human resources support to businesses in the UK. The business is based in Lichfield, Staffordshire.

Your Petitioner and his family moved into the countryside to enjoy the beautiful county of Staffordshire and to provide our family with a wonderful place to grow up. Your Petitioner's property is around seven hundred metres of the proposed line. Your Petitioner's property is on a road which is highly likely to be used by construction traffic during the construction of the scheme.

Your Petitioner has to take his youngest son to the railway station in Lichfield to travel on to his school in Sutton Coldfield. Your Petitioner's journey to and from Lichfield both for business and to take my son to school will be adversely affected by the construction of the proposed scheme. My son attends one of the best state Grammar schools in the country, which has recently had a significant funding cut resulting in some "A" Level courses being withdrawn from the curriculum.

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

9. Traffic Disruption

The Bill will mean that road works and additional traffic will adversely affect your Petitioner's travel both for business purposes and to take my son to school. It is important for my business that I am able to meet deadlines. The construction traffic congestion will significantly affect my ability to plan the timing of my journeys with any certainty. Any trips which my youngest daughter has to make to hospital for regular checks will also be adversely affected by the road works and any additional construction traffic on the roads. Your Petitioner travels frequently to Lichfield where he and his children take an active part in sports and recreational activities such as hockey, dance and cycling. As a regular cyclist in the area, your Petitioner is particularly concerned about cycling on roads which are being used by construction traffic. The roads are narrow country roads and I fear for my safety cycling in such circumstances.

10. Environmental Damage

Your Petitioner and his family moved into the countryside to enjoy the peace and tranquillity offered. Your Petitioner and his family love the beautiful and unspoilt countryside in which they live. We live amongst a wonderful array of wildlife and I enjoy witnessing the beauty of the English countryside throughout the year. I walk my dogs extensively in the local area and the Bill will permanently change and damage this environment and this beautiful countryside.

11. Property Blight and lack of Compensation

As your Petitioner and his family grow up, my wife and I had planned to move house. We are already aware that our property has been blighted by the proposed Bill. House prices in similar areas not located as closely to the site of the proposed railway have risen. Local house prices have not benefitted from this increase. Your Petitioner is in an area which is uniquely affected by both phase one and phase two of the proposed

Bill. Phase one ends nearby and its location points phase two in our immediate direction. The spur to connect phase one and the West Coast main line has a direct impact on our local community. As such the construction of this railway will adversely affect our property and our ability to move for an extended period of time, potentially fifteen years or more. As a result we are trapped in our house and are losing money on our single most important asset, without being provided with or offered any form of compensation.

12. Detriment to Health

Your Petitioners health has suffered as a direct result of the Bill. Every day I spend considerable time thinking about the negative effects of the Bill on all aspects of my life. My business has suffered and I frequently lose sleep as a result of thinking about the Bill and its effects upon me and my family. Unlike most of those affected by the Bill our suffering will last significantly longer than many other people as set out above because of the impact of both phase one and should phase two of the project be approved we will suffer all over again. Under The Human Rights Act I am aware of my right to enjoy my property peacefully, I do not feel that I am being afforded that right as a result of this Bill.

13. Lack of Meaningful Consultation

Your Petitioner also considers that his unique position being in the geographic area directly ahead of the end of phase one of the high speed rail line means that no proper and meaningful consultation is possible regarding phase two. Being a high speed rail line there is a limited angle which the track must take, which means that should phase two be approved its direction and route is virtually inevitable. As such your Petitioner has not been and cannot be provided any meaningful consultation regarding Phase two of the route.

Your Petitioner is further aware that announcements made over recent weeks by ministers and HS2 suggest that an extension of Phase 1 to Crewe. Such action would mean that no meaningful consultation has been provided to those affected by such an extension. Your Petitioner would request that Point 50 in the Bill be amended to clearly state that this Bill only permits the building of HS2 Phase 1 to Handsacre.

14. Costs

Your Petitioner is concerned at the potentially unlimited cost to the taxpayers of the construction and operation of the proposed high speed rail line. At the present time, during the relatively simple consultation phase your Petitioner understands that

budget overruns are already in the region of eighty six per cent. Your Petitioner has seen his disabled daughter lose her disability allowance and his youngest son's school suffer recent funding cuts, during this time the costs being incurred on the preparation phase of the high speed rail project are escalating without any control.

15. Access to land for surveying purposes

Your Petitioner consider that the powers provided within the Bill regarding rights of entry and authorisations to enter land for surveying purposes are in excess of what is reasonable. The Bill permits entry to any land anywhere in Great Britain for the purpose of any high speed railway which might be proposed by ministers in the future. Your Petitioner feels that such powers are outside the remit of the Bill, which should address issues relating to HS2 and not any future proposed railways.

16. Your Petitioner feels strongly that the powers proposed in the Bill, that will be provided to the Secretary of State and the Nominated Undertaker are too great and respectfully submit that the Bill should be amended or undertakings required so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works and the impacts on communities. They need to suggest necessary changes from the results of that review before works design and construction strategies have been finalised or construction contractors employed.

The routes and operational working of construction traffic should be diverted to maximise the use of main roads rather than country roads. Construction traffic should not be able to operate during commuting and school drop off and collection times. Nor should construction traffic operate during evenings and weekends.

The Bill as it stands will permanently destroy areas of outstanding beauty and your Petitioner feels that the Bill should be amended to utilise existing transport corridors to minimise permanent environmental damage to previously unspoilt countryside.

The Bill should fully and fairly compensate all of those people who are affected by the Bill and HS2. The current compensation scheme should be extended accordingly.

To mitigate the financial loss suffered by your Petitioner and to address the detrimental impact on your Petitioner's health, HS2 should purchase my property at a minimum of full market value discounting the current impact of HS2 and cover my

removal costs and disbursements to enable me to relocate away from the area of the proposed route and to allow me to enjoy my property peacefully.

The Bill should provide a cap on all budgets for expenditure on HS2 to reduce the risk of significant cost overruns. The expenditure at this stage of HS2 is not under control and as a tax payer funded project the Bill should protect the taxpayer from the risk of extra cost by setting a legally binding budget on all costs.

Your petitioner requests that the Bill be amended to only allow access to private land with the consent of the landowner and occupier.

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

18. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and their rights, interests and property and for which no adequate provision is made to protect your Petitioner.

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 so much of the Bill as affects 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 Petitioner

will ever pray, &c.

Signed Anthony Charles Sutton

IN PARLIAMENT
HOUSE OF COMMONS SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF Anthony Charles Sutton

Against the Bill – On Merits – By Counsel &c

