

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

**HIGH SPEED RAIL (LONDON – 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 MICHAEL AND JACQUELINE LYNCH

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 Petitioners are owners of an affected property living within the Parish of Burton Green, residing at 4, Seaton's Field, Red Lane.
- 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 My wife and I are senior citizens, and have lived in our current home since 1988. Ours is a substantial detached property, which we have extended and improved over the years.
- 10 We chose to live in Burton Green because of the tranquil location, the village situation and the sense of community. Burton Green has a vibrant and friendly atmosphere and we are fully involved in the many and varied activities within the village.
- 11 Our home was in a much sought after location which we anticipated to be a financial benefit as and when the time came when we would wish to downsize and realise the equity for our non-earning years of retirement.
- 12 With the advent of the proposed HS2, this opportunity has been taken away from us. Since the announcement of HS2 in 2010, the value of our home has plummeted and continues to diminish.
- 13 We will be affected extensively during both the construction phase and once HS2 is operational. We are deeply concerned about the impact the proposed HS2 railway line will have on our personal life, our living environment and the value of our home.
- 14 We are one of 14 homes on the edge of Burton Green that will be effectively cut off from the rest of the village. During construction we will be directly affected not only by the laying of the track but also to the changes to the Cromwell Lane Bridge and will be completely surrounded by construction works. When operational, we will be affected by noise. This needs to be addressed. One cannot simply draw a straight line and ignore those of us who will be severely affected, but not properly compensated. The government seem to have a total disregard for the plight of Burton Green whilst at the same time admitting that we are the worst affected rural village along the line. Tunnel F would remedy this.
- 15 Under the current compensation proposals, we will not be eligible under the Voluntary Purchase Scheme. The Need To Sell Scheme is littered with words and phrases which will most likely dis-bar us from a financial payment for our home, even though we are situated within 200m of the centre line of the proposed railway. We therefore petition that our property should be included within the Voluntary Purchase Scheme.
- 16 We do not have an existing 'pressing need' to sell our home but we do not want to be prevented from a pre-bligh sale price, as and when we make our decision to relocate.
- 17 This decision is likely to be sooner than envisaged, as we do not wish to be surrounded by a gigantic construction site for the next 7 or so years.

18 The existing HS2 scheme provides for a cut and cover tunnel through the centre of Burton Green. The portal will end some 50m to the north side of our property line, with the likely result of excessive noise as the trains enter open ground which is less than 200m to the rear of our property. We need to be sure we are fully protected by adequate sound proofing such as noise barriers

The obvious answer is a deep bored tunnel

19 It is likely that a major construction compound site will be located in the field to the south side of our neighbour's home and all other site traffic, plant and machinery will use the Lane to the front of our home. We will be surrounded on all sides by construction works, and seem destined to suffer major inconvenience for a minimum period of 7 years, plus the health risks from dust, noise and vibration. We believe residents close to construction compounds /camps, should be treated in the same way as those close to the actual route and deserve compensation. Are we destined to keep our windows closed and to be denied the use of our front and rear gardens as well?

20 If, instead of the cut and cover option, HS2 would agree to a deep bore tunnel, as outlined in the proposal document as Tunnel F, the majority of the previous outlined complaints would be nullified. There would most likely be very little disturbance, no major compound site adjacent to us, vastly reduced site traffic on our surrounding lanes and limited dust and noise.

21 We would only need the restricted compensation proposals to be modified to include any and all properties whose owners had a wish to sell at pre-blight price.

22 Having worked extremely hard to achieve the home we have, we should not be denied the opportunity to realise its full value. If the government cannot afford the full compensation to those of us most affected, then the whole HS2 project is unaffordable. We should and must not be penalised by having an unfair financial restriction placed upon us.

23 HS2 is proving to be a complete nightmare for us, causing stress beyond belief. We feel trapped and ignored, all of previous protestations have had no effect. We need to be able to sell our home at its pre blight value, as and when the time is right for US.

24 The adoption of Tunnel F would be the just solution to the dire situation we find ourselves in.

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

26 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 Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

Signature of Petitioners

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LYNCH

AGAINST, By Counsel, &c.

MICHAEL AND JACQUELINE LYNCH

