

IN PARLIAMENT HOUSE OF COMMONS SESSION 2013-2014

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 BURTON GREEN VILLAGE HALL COMMITTEE

SHEWETH as follows: -

1. A Bill (hereinafter called "the Bill") has been introduced into 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 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, and Mr Robert Goodwill.
3. Clauses 1 to 18 set out the Bill's objectives in relation to the authorisation of works and the acquisition of land and rights over land. Clauses 19 to 36 make provision for the deeming of planning permission and the disapplication of powers contained in other legislation on matters such as heritage issues, trees, traffic, and noise. Clauses 37 to 42 set out the regulatory regime for the railway. Clauses 43 to 56 establish further powers relating to the nominated undertaker, additional related works, and the Crown. Clauses 57 to 65 of the Bill deal with miscellaneous and general provisions.
4. The works proposed to be authorised by the Bill are specified in Schedule 1 to the Bill, and the scheduled works are defined in the Bill as the works specified in Schedule 1 to the Bill which works are authorised to be constructed by the nominated undertaker (defined in the Bill and hereinafter referred to as "the nominated undertaker").

Your Petitioners

5. Your Petitioners are Burton Green Village Hall Committee (hereinafter referred to as your Petitioners). The Hall is a Charity, constituted in 10th August 1923, which manages and maintains the facility on behalf of the village and the wider community. Their rights, interests and property are injuriously affected by the Bill, either directly by the works referred to above. In recognition of the determination of the Promoters to proceed with the scheme, your Petitioners have worked to protect the interest of the facility and the best possible mitigation of the harmful impacts. The facility belongs to the community; they in turn appreciate and support the many different activities that take place every day.
6. Your Petitioners were invited to attend, and were active participants in, the six rounds of Community Forum meetings arranged by HS2 Ltd between March 2012 and September 2013. In addition they have engaged with and held meetings with HS2 representatives in an attempt to quantify and establish the effects and solutions required in both the construction phase and operational period.

The area whose residents are represented by your Petitioners

7. The Bill would authorise the demolition and relocation of the Village Hall. Regular users are drawn from the Parish of Burton Green plus the surrounding areas of Balsall Common in Solihull, Coventry, Kenilworth and Warwickshire & West Midlands. We also have twice yearly bookings by National Associations due to the central location of the facility.
8. Your Petitioners take objection to the part of the works and the provisions of the Bill that are injurious to our users, as set out in the paragraphs following these introductory remarks. They form the body of people who use and support the Hall. The pursuit of their interests will be disrupted by the development; we seek help in minimising the effects on them and their facility, to allow as far as possible their ability to continue to enjoy and access the Village Hall.

Concerns about loss of community facility

9. Your Petitioners are concerned about the effect on the community in both the construction phase and going forward. The Village Hall is the focal point of the community, which is heavily used and has had limited free capacity for many years. It is highly regarded by sports, education, small business enterprises and leisure users from the local Parish and attracts use from a wide area. The Village Hall Committee has managed, maintained and developed the facility with revenue from users and Community Events.
10. We await the written guarantee that all our concerns will be addressed and as far as possible mitigated. This may include loss of revenue due to loss of facility or users especially in the construction phase when significant physical disruption is anticipated. Users will suffer to differing degrees undue disturbance through noise, vibration, traffic, dust, fumes, or lighting. The Environmental Health of our users especially those which involve physical exercise are of concern to both them and the Committee.

Construction Routes

11. The Promoter's designation of Red Lane and Hob Lane as a construction route would cause serious harm to residents and road users due to the constricted nature of these Lanes. The road surfaces are not constructed for heavy traffic, and they are narrow with multiple entry points. The Lanes are used by horse riders for leisure and instructional purposes. Hob Lane has tight bends and gradients, and a dangerous constriction caused by on road parking at Burton Green Primary School. Use of these roads for construction traffic would cause significant inconvenience, cause disturbance, environmental damage, dust, and danger and the roads may be impassable to large vehicles during the hours when pupils arrive and leave. One of the preferred sites your Petitioners are considering for the relocation of the Village Hall would also be accessed from Hob Lane or Red Lane and consequently would be blighted by construction traffic using this route.
12. Your Petitioners seek an undertaking from the Promoter that the nominated undertaker will be required to use other routes and means instead of Red Lane and Hob Lane for the transport of construction equipment and materials, other than in exceptional circumstances.

Concerns about Timing

13. At all meetings with the Promoters since the proposal was launched in 2010 we have recognised the need to replace the Hall. The crucial date now being quoted is that when the Bill receives Royal Assent. The delay caused by the petitioning process closes down the window between that and the suggested start date of local construction of 2018.
14. Your Petitioners request the recognition of this obstacle and request that the rules are relaxed to allow the Proposer to facilitate all work required to ensure that a replacement Hall is finished and ready to use prior to any construction starting in Burton Green. The building specification for the replacement Hall needs to take into account increased noise and environmental damage from the works and ongoing operation. The site identified by the Environmental Statement is unsuitable on a number of counts including accessibility and also it has been acquired on behalf of the school for expansion and development unrelated to this proposal.
15. The replacement Hall should be built in a central location on a site agreed by negotiation with the Village Hall Committee and Trustees.

Tunnel Option

16. Your Petitioners believe that should the Proposal go ahead the option of a Deep Bored Tunnel would remove all of the previous concerns and remedied outlined by your Petitioners in the previous paragraphs. This we understand is identified by Option F Deep Bored Tunnel, paragraph 2.6.13; CFA18. It would also remove the necessity to demolish the Village Hall which is central to village life and currently ideally positioned in the heart of the village. Your Petitioners acknowledge that the construction costs may be greater but believe if the human and environmental costs are accurately considered then the benefits would far outweigh the costs.
17. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, clauses 1 to 36, so far affecting your Petitioners, should not be allowed to pass into law. There are other clauses and provisions in the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, (including their human rights) interests and property and for which no provision is made to protect your Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

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 such of the clauses and provisions of the Bill as affect 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)

VICTOR NEIL STUTHRIDGE on behalf of:
Burton Green Village Hall Committee

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CONTACT DETAILS

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