

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 ALAN AND PATRICIA DEELEY

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 Coniston , 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 Your Petitioners are petitioning that their property should be covered within the Voluntary Purchase Scheme as they firmly believe that they will be equally affected as those properties closer to the line.
- 10 Your Petitioners have lived in Burton Green since 1985 and within their current property since 1994. There is a large detached property which has been significantly extended over the years. They are about 160 metres from the actual line
- 11 Your Petitioners originally moved to Burton Green because of its rural location and village community. It is an active community and they have always been fully involved in village life over the years. It has also been an attractive and sought after location to live.
- 12 Your Petitioners anticipate retiring within the next year. They anticipated many years of being able to enjoy the local area, the tranquillity of their garden and continued use of The Greenway and surrounding pathways. They fully expect that at some point in the future they would need to downsize in order to help finance retirement. Because of HS2 that choice is being taken from them and they have seen property prices plummet,
- 13 Your Petitioners are one of 14 homes on the edge of Burton Green that fall outside the Voluntary Purchase Scheme. They do not think that one can simply define who is and who is not affected by an arbitrary distance from the centre of the track and firmly believe that proper compensation should be provided for all those affected.
- 14 Your Petitioners may be outside the Voluntary Purchase scheme but will be severely affected both during the actual construction phase and then once HS2 is operational. They are deeply concerned about the impact the proposed HS2 railway line will have on their personal life, the living environment and the value of their home. All of this could be avoided if HS2 were to adopt the technically feasible solution of building a deep bore tunnel, known as Tunnel F in their documentation.
- 15 Your Petitioners are specifically affected due to their location in relation to site access and site compounds. Once the project starts they will be living in the middle of a giant construction site plus there will be a major construction compound site located in the field 2 houses down from us. All site traffic, plant and machinery will use the Lane to the front of their home. The actual line will be constructed about 160 metres behind their house, There will be dust and noise from both the compound and the line construction which will negate all the reasons they have remained living in Burton Green.
- 16 Your Petitioners are also deeply concerned that their access to local amenities will be severely restricted during the construction phase as a result of Cromwell Lane closure. There is currently no plan in place to mitigate this.
- 17 Your Petitioners note that as a result of HS2 'The Greenway' will be moved to 50 metres behind their property which will not only increase the amount of construction issues but will leave us with additional noise and security concerns due the volume of people who use this facility. Once again, if Tunnel F was built then this increasingly popular local amenity would not be affected and all their concerns would be negated.

- 18 Your Petitioners believe that residents who are close to the compounds /camps, should be treated in the same way as those close to the actual route and deserve proper compensation. The government has admitted that they are the worst affected rural village along the line but has provided inadequate compensation.
- 19 Your Petitioners recognise that the existing HS2 plans provides for a cut and cover tunnel through the centre of Burton Green. This a brand new design whereby the noise levels cannot be accurately predicted. The portal will end less than 160m to the rear of their property line with the likely result of excessive noise as the trains enter the tunnel. They need to be fully protected by adequate sound proofing such as noise barriers. .
- 20 Your Petitioners believe that 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, then the majority of the previous outlined complaints would be nullified.
- 21 Your Petitioners have worked extremely hard over the years to achieve the home they have and wish to enjoy their future as planned. They should not be denied the opportunity to realise the full value of their property. If the government cannot afford proper and full compensation to those most affected, then the whole HS2 project is unaffordable. They should and must not be penalised by having an unfair financial restriction placed upon them.
- 22 Your Petitioners firmly believe that HS2 has introduced much stress into their lives over the last 4 years and will continue to do so into the future. They feel that their concerns are not being listened to. They feel trapped that they cannot simply decide to move in the same way as any normal householder. Should HS2 go ahead they want to be able to sell their house at a fair market value and at a time that is right for them; that is why they are petitioning that they should be covered under the Voluntary Purchase Scheme.
- 23 Your Petitioners firmly believe that the adoption of Tunnel F would be the just solution to all the issues they will face during construction and the on-going operation of HS2.
- 24 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:
- 25 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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AGAINST, By Counsel, &c.

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