

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 JENNIFER EVANS, OWNER OF HEDGEROW NURSERY

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, streetworks 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 Petitioner is Jennifer Evans, owner of Hedgerow Nursery Burton Green.

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

9. Your petitioner is anxious about the future viability of Hedgerow Nursery, which has evolved from a pre-school part-time playgroup to a full year, full day care from 8.00 am to 6pm. Not only do we serve parents in Burton Green but also the surrounding towns and villages such as Kenilworth, Balsall Common, Berkswell, Knowle, Meriden and Hampton-in-Arden.

Your petitioner is concerned about the impact of HS2 on the Nursery. Already two children are in the process of leaving the nursery as their house is due to be demolished while there are others close to the line who are likely to leave.

Your petitioner is also worried that parents from outside Burton Green will not want to journey to the nursery because of the chaos of construction and the disruption to traffic flow which could last for at least seven years. It is also probable that the Burton Green Church- of – England Primary School will experience the same problems. Our future is closely tied to the viability of the school. Although the nursery serves pre-school children, it also offers a before and after school club and a holiday club. Many children using these facilities have siblings at the nursery. Indeed the nursery is intrinsically bound to the school and it has been the main feeder for many years.

Your petitioner is also concerned about the traffic impact on the nursery. Some of our pupils walk to and from the school and there will be grave difficulties when work takes place on the realignment on the Burton Green Bridge. Journeys may well become impossible and it is likely that we may not be able to continue offering this facility. If we do have to travel on a different route we would perhaps need one large or two small minibuses. We would also need staff to drive them and we would incur high costs for insurance. This would obviously affect my profit margins and make the clubs unviable. Again such a development could deter parents from sending their children to the school and the nursery.

Your petitioner is also most anxious at the proposed route for construction traffic. It seems that HGVs are due to travel down Hob Lane past the school. This would be dangerous and unacceptable as it is such a narrow and twisting lane. It is probable that prospective parents would be discouraged from sending their children to both the nursery and the primary school.

Your petitioner firstly requests that more thought be given to the construction route and secondly urges that a deep bored tunnel, option F, is built under Burton Green, as it would overcome all the problems which I have so far described.

Your petitioner is also extremely worried about the impact of HS2 on the Greenway. One of the attractions of the nursery for parents is that it is environmentally friendly. We go on regular walks down the Greenway in absolute security and tranquillity and use it as a classroom to teach children many environmental facts and be in touch with nature. Almost certainly this valuable aspect of the education provided will have to end as we could not risk the health hazard of dust and noise.

The petitioner is also worried about the impact of HS2 on Broadwells Wood for we use this habitat for our forest-school studies.

Again a deep-bored tunnel would secure both the Greenway and the woods.

Your petitioner would like to make you aware of her personal situation. I have worked tirelessly for twenty-five years to build up my business, forever evolving and changing in order to serve local parents and businesses. My reputation is excellent. That all this can be affected or even taken away by HS2 is heartbreaking and very harsh. I am a single Mum with seven children who are solely supported by my nursery, either working for me or supported by me while they are at school or studying. I employ fifteen people and I feel responsible for them.

If the present proposal is adopted I, would expect to be treated fairly and compensated for loss of revenues or possible closure. Your petitioner would like to point out that at no point during this phase have I been contacted by HS2 Ltd and the uncertainty of my position has created considerable stress. Your petitioner is desperate to maintain the nursery as it plays such a valuable part in the life of the Burton Green community and would be greatly relieved if the deep-bored tunnel, Option F, was built.

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

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

YOUR PETITIONER therefore humbly prays 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 Petitioner will ever pray, &c.



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