

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 DEREK HIATT, SUSAN HIATT & SANDRA HIATT

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 Petitioners, Derek Hiatt, Susan Hiatt and Sandra Hiatt lives at Wood Farm, Ufton, Leamington Spa, Warwickshire. The farm extends to over 450 acres of which the majority is in arable production and has been in the ownership of our family since approximately 1933.

The Farmhouse is occupied by Derek & Hazel Hiatt and there is a second house occupied by (daughter) Susan Hiatt who runs a 60 place Cattery from the premises and (daughter) Sandra Hiatt, who also lives in a separate property with a large 30 stable livery unit, all located at Wood Farm. In addition there are five properties let out to commercial tenants and a further four holiday cottages on the farm constructed from barns that were converted some 15 years ago.

Your Petitioners property will not be demolished as part of this Bill but the proposed railway line will run approximately 220 metres north of the main farm complex which incorporates all the residential units, commercial lettings and holiday cottages. Access to the farm is currently off a difficult junction off the A425 road immediately to the west of Ufton Village. The private farm road is nearly 1100 metres long and the farmhouse, other houses and farm steading currently lie in a tranquil setting and ideally suited for the current uses of holiday cottages, residential use, commercial cattery and extensive livery business.

8. Your Petitioners and their rights, interests and properties are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others hereinafter appearing.
9. The current HS2 proposals provide for the railway line to cut through the most northerly part of the farm close to the public highway known as Welsh Road immediately on the north side. The closest point to the proposed railway line, Welsh Road, lies less than 200 metres to the north.

HS2 Map no. CT-05-087 provides for a very substantial Material Transfer Stockpile Area, Satellite Compound and Main Compound immediately on the north side of the railway line and between the line and Welsh Road. All of these facilities are on land owned by our neighbour to the north.

Access to the Stockpile Area, Satellite Compound and Main Compound is proposed to be provided by a temporary road to be constructed from Welsh Road direct to the proposed railway line.

Our objection to the current proposals are:

- 1). The current proposals provide for a Secondary Construction Access Route from the A425 Southam Road through to the proposed railway line. Approximately 500 metres will be taken down Your Petitioners main farm drive and a further 800 metres to be a new haul road constructed through some of the best arable land on the farm.
- 2) The access on to the farm road from the A425 is completely inappropriate for construction traffic, having an inadequate highways access splay and an acute turn for any vehicles approaching from the west.
- 3) An 800 metre Secondary Construction Access Route through good arable land will be a major inconvenience to farming operations and leave the farm with a number of awkwardly shaped fields for the duration of the construction works.
- 4) The potential use of the Secondary Construction Access Route will have a significant impact on all three families living at the farm and may well cause some of the commercial tenants to seek alternative premises in a quieter location. The use of the farm road by heavy construction traffic will have a material impact on the commercial cattery and livery businesses.

5) The proposed Secondary Access Route is totally inappropriate both from a safety point of view and from the detrimental impact it will have on those living and working at Wood Farm.

10. Your Petitioners object to the powers that are proposed to be provided by the Bill to the Secretary of the State and the Nominated Undertaker and respectfully submit the Bill should be amended to grant access to the Stockpile Area, Satellite Compound and Main Compound only from Welsh Road.

Your Petitioners proposal to delete the Secondary Construction Access Route will not only reduce construction costs but also reduce the traffic risk of accident or death and considerably improve the quality of life of those living and working at Wood Farm.

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

12. 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 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 Petitioners in the premises as your Honourable House shall deem meet.

AND Your Petitioners will ever pray, &c.

Signed:

Derek Hiatt

Susan Hiatt.

Sandra Hiatt

IN PARLIAMENT

HOUSE OF COMMONS
SESSION 2013-14

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PETITION OF:

Against the Bill – On Merits – By Counsel &c

LETTER OF AUTHORITY

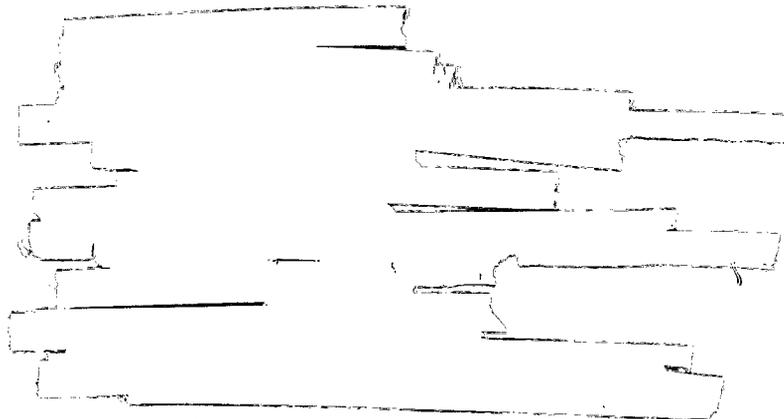
We hereby authorise Jeremy Watson FRICS FAAV of Howkins & Harrison LLP, 7-11 Albert Street, Rugby, Warwickshire CV21 2RX to act as Agent on behalf of Derek Hiatt, Susan Hiatt and Sandra Hiatt, in all matters relating to the **HIGH SPEED RAIL (LONDON-WEST MIDLANDS) BILL**

Signatures:

Derek Hiatt

Susan Hiatt

Sandra Hiatt

A large rectangular area of the document is redacted with a thick black line, obscuring the signatures of the three individuals listed to the left.