

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 JEREMY & SUSAN MARSHALL

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 Jeremy and Susan Marshall live at 7 Hodgetts Lane, Burton Green, an Edwardian semi-detached house in the formerly thriving community of Burton Green. The house is also home to their daughter Sarah, during university holidays. Your Petitioners have owned the house since 1992 and Sarah was born in the house in 1994. The house is located on the construction footprint and subject to compulsory purchase.
- 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 note that while we don't want to leave we will be forced to do so and this is severely disruptive to our family life.
- 10 Your Petitioner Jeremy Marshall commutes to his work at Stoneleigh Park by both car and by bike. He is concerned about the potential adverse impact that construction could have on the A46 and Stoneleigh Road. This is a major road through Warwickshire and is a key access route for Stoneleigh Park, the University of Warwick, Westwood Business Park and the University of Warwick Science Park. This means that the A46 is one of the most congested roads in the region. It already experiences problems during high volumes of traffic, particularly during rush hour, and Your Petitioner submits that, in the event of a lane closure as a result of construction works, traffic flow along the A46 around Stoneleigh Park would be severely impeded.
- 11 Your Petitioners contend that during the construction phase, the additional use of the A46 by heavy goods vehicles and works being carried on at Stoneleigh Park will cause further disruption to access and traffic flows to Stoneleigh Park. Therefore, Your Petitioners request that the Promoter undertakes that all lanes on this road will remain open at all times to facilitate access to Stoneleigh Park and to prevent further congestion in the local area.
- 12 Your Petitioner Jeremy Marshall commutes to his work twice a week by bike, using the Greenway. This is an extensively used off road route to Kenilworth providing high quality, safe and congestion-free travel. Your petitioner submits that current plans for shared access to the Greenway at Cromwell Lane for construction vehicles, bikes and pedestrians would be dangerous and may become unusable in wet weather. Your Petitioners also walk on the Greenway on an almost daily basis and would suffer the loss of this valuable amenity.
- 13 Your petitioners also note that the local woodlands and especially the ancient woodland in Broadwells Wood will suffer extensive losses.
- 14 Your petitioners are regular users of Burton Green village hall which is scheduled for demolition with obvious potential impact for the activities within the hall. Your petitioners request that the relocation of the village hall be achieved prior to the first construction impacts to prevent any break in operation. The school site is not an appropriate location for a village hall as this would cause serious detriment to the school and because there is a lack of parking and street lighting at that site.
- 15 Your petitioners assert that we are unreasonably and unnecessarily affected by the HS2 railway current design, as described in the Bill and in the supporting documents including the Environmental Statement. Unreasonably in that the proposed design is insufficiently effective at mitigating the effects of the scheme at completion, and more significantly in that little or no account seems to be taken of the enormous impacts caused by the proposed construction method – a cut-and-cover tunnel which bisects the village. We are unnecessarily affected as effective and technically feasible solutions are known to exist in the form of bored tunnels.

- 16 Your petitioners request that the design of the proposed scheme in this area should be examined afresh and to take full account of the human and environmental costs/benefits of the proposals and to do so in an open and transparent manner. We note that despite many requests during the 'engagement processes' of the last four years the relative weightings of the SIFT criteria are still unpublished leading to our belief that decisions could have been made in an inconsistent or even arbitrary manner across different regions of the line, and that really the only factor with real effect is that of construction cost. Given that the proponents of the scheme seem unwilling to compensate all those that are affected by the scheme it seems only reasonable to ask for the very best design and mitigation and not just the cheapest as otherwise it is the case that a small group of people are being expected to bear disproportionate personal costs for a scheme nominally in the national interest.
- 17 Your petitioners specifically request that full consideration is given to one of the bored Tunnel proposals, for which that described as 'Option F' within HS2 documents would solve all of our individual concerns and of course those of many others in both this village and the wider area.
- 18 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.
- 19 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.

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[REDACTED]