

1135

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS)

PETITION

Against the Bill – Praying to be heard by council, & c.

TO THE HONOURABLE THE COMMONS OF UNITED KINGDOM OF GREAT BRITAIN AND  
NORTHERN IRELAND IN ASSEMBLED.

THE HUMBLE PETITION OF UFTON PARISH COUNCIL

SHEWETH as follows :

1. A Bill (hereinafter called "the Bill") has been introduced into and 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 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 Ian Duncan Smith, Secretary Eric Pickles, Secretary Owen Paterson, Secretary Edward Davey and Mr Robert Goodwill.
3. Clauses 1 – 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 part walls, street works and the use of lorries.
4. Clauses 37 – 42 of the Bill deal with the regulatory regime for the railway.

5. Clauses 43 – 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 of works and provision about further High speed railway works. Provision is also made about application of Environmental Impact Assessment Regulations.
6. The works proposed to be authorised by the Bill (“Phase 1 of HS2”) 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 the Schedules 2 and 3 to the Bill.
7. Your Petitioners are Ufton Parish Council in the district of Stratford-on-Avon and have been invested by Parliament with a number of important powers and duties in relation to the interests of the inhabitants of this area. Amongst other functions of your Petitioners is that of local planning issues in respect of most types of development, and your Petitioners have a duty to investigate the existence of, and to control nuisances within their area.
8. The Bill would authorise the compulsory acquisition of certain interests in land or property of your Petitioners and in accordance with the standing orders of your Honourable House, notice has been served on your Petitioners of the intention to seek such compulsory powers.
9. Your Petitioners oppose the Bill in principle, whilst your Petitioners acknowledge that the principle of the Bill is established at the second reading, your Petitioners views on the subject must be recorded in this petition.
10. Your Petitioners allege that they and their property, rights and interests in their Parish and the inhabitants thereof would be injuriously and prejudicially affected by the provision of the Bill if passed into law in their present form and they accordingly object to the Bill for the reasons, amongst others, hereafter appearing.

### **Introductory**

11. The parish of Ufton is in close proximity (1 km) from the proposed route of the railway line and will be affected to varying degrees by the construction of the line, whilst at the same time Ufton will not gain any direct benefits from the railway. The Petitioners submit that it is entirely reasonable to expect the Promoters and the Nominated Undertaker to provide mitigation over and above that which is currently being proposed, and also to provide compensation to the community by the provision of additional infrastructure, facilities and funding which will benefit them as a whole. In the following paragraphs, your Petitioners set out a range of expectations in that regard and require that the Promoters should consider further suggestions provided by your Petitioners.

12. **Ufton**

13. **Public Rights of Way**

Your Petitioners refer to the path ("CFA 16 Green Lane / The Ridgeway - part of the Centenary Way") and seek an Undertaking that the Promoters will ensure that it is protected from all construction traffic to ensure safety at all times to stop pedestrians being able to stray into the road way.

14. Your Petitioners seek an Undertaking that the Promoters will upon completion of the construction phase re-instate the path to its original condition and line.

**Community**

15. Your Petitioners aver that the statement in section 5.4.24 of volume 2 CFA 16 of the Promoters Phase 1 Environmental Statement seriously underestimates the impacts upon Ufton. This states

*"The A425 which runs through the centre of the village has been identified as a construction traffic route for the Proposed Scheme. It is claimed in Section 12 that this will not substantially increase daily flows of traffic on this road, and no significant congestion or delays are anticipated so having negligible effect"*

16. Your Petitioners further aver that the Promoters have taken a very simplistic and inaccurate view about the impact on the community. Your Petitioners contend that the acknowledged increase in Heavy Goods Vehicle`s to and from the cutting head of the Long Itchington/Ufton Wood Tunnel will have a detrimental effect on the village and require assurances that measures will be incorporated within the Bill, that all construction traffic will adhere to the Speed Limits and to ensure that villagers are able to cross the A425 safely, a temporary Pelican Crossing should be installed during the construction period.
17. The Environmental Statement explains that *"Approximately 56,000 people worked in the Stratford-on-Avon District area in 2011, with 3,100 working in Southam DCA."* A proportion of this population lives in Ufton and, given the limited employment opportunities within the village, by necessity the majority of working population have to travel for employment.

Your Petitioners aver, the impact of the construction of the railway on the roads network and the effect on journey times on the community has not been recognised by the Promoters.

### **Traffic and Transport**

18. Your Petitioner aver that the assessment of the Promoter as stated in section 12.4.16 of the Volume 2 CFA 16 of the Promoters Phase 1 Environmental Statement that construction will result in “minimal increase in traffic movements” within Ufton is totally inaccurate and misleading.
19. Your Petitioners aver that with the Promoter using (“Green Lane / The Ridgeway”) as an access road to the Long Itchington Wood Tunnel Entrance site and the A425 forming one of the main lorry routes to / from the proposed line, along with construction traffic using this access road to the Promoters proposed construction compound. This will significantly increase the traffic / transport volumes in the immediate area of Ufton.
20. Your Petitioners aver that the Promoter proposes that “construction traffic will travel South towards the Fosse Way, to enable traffic to gain access to the A425 HGV’s will have to travel into Ufton, circle around the island to travel South. This your Petitioners aver would add further disruption to an already dangerous junction and is not acceptable and contrary to Warwickshire County Council’s Transport Policy
21. As a result of the this, your Petitioner avers that there will be significant increase in the volume of non-construction traffic using the minor road through the village. This road is already used as a “rat run” and is totally unsuitable for diverting traffic being , narrow, with multiple driveways, field entrances, entrance to Nature Reserve, with parked vehicles and pedestrians including children using it. Any increase in traffic would result in safety issues, noise emissions, congestion and disruption. There is also a serious risk to the older properties from vibration damage. So making a dangerous junction.
22. Your Petitioners aver that the Promoter and Nominated Undertaker provide signage within the village to ensure “Construction Traffic” does not use the village side roads i.e. “Access to village Only, speed humps and appropriate Weight Limits etc.” and enter into a “Traffic Management Plan” which should be agreed with Warwickshire County Council and Ufton Parish Council along with independent monitoring by the Promoters.

### **Noise and Vibration**

23. This section of the railway runs through what is a predominately rural area and will generate substantial noise and vibration and have a considerable impact on the area during the construction period.
24. Your Petitioners aver that it is fair and reasonable for the community of Ufton to expect the highest possible levels of mitigation against these impacts. It is noted that taller screening is proposed along the edge of the construction site by Wood Farm, but the definitions of the height and nature of the Noise Barriers is not determinable from the Environmental Statement.

25. Your Petitioners aver that the Noise Barriers proposed by the Promoters should be of the highest technical quality and conform to and in line with European Union and Environmental Health Legislation and certified by specialist environmental engineers prior to any construction work commencing.

### **Wood Farm Construction Compound**

26. The Environmental Statement (Vol 21 Map Books – CFA 16CT-05.087 and CFA 17-LV03.0696) Shows a *Secondary Construction Access Route* being constructed to serve the proposed construction camp for the Long Itchington / Ufton Woods Tunnel. This follows the line of The Ridgeway / Green Lane for a short distance before following the line of the access road to Wood Farm and then deviating to follow the contours of the hill.
27. Your Petitioners aver that it would make better economic sense if the “*Secondary Access Route*” followed the line of the D road stated as the Ridgeway/Green Lane until it reached grid position B-g on the map CT-05-087 and then turned right up to the proposed compound. This would have the following advantages :-
- (a) Less Grade A farmland would be required for new access road
  - (b) Once the access road has been constructed it can be left in place upon completion of the construction of the railway, so eliminating any expenditure to the Promoters in removing it.
  - (c) A further benefit is, it would allow easier access for Ramblers to The Ridgeway/Green Lane, whilst at the same time reduce the damage caused By unauthorised motor vehicles.

## **Part 2 Generic Issues**

### **General**

28. Your Petitioners aver that Schedule 1 section 1 subsection 2 (c) which allows the Nominated Undertaker to “deviate – (c) Vertically upwards to any extent not exceeding 3 metres from the level shown for that work on the deposited sections, but doing so in a case mentioned in sub-paragraph )1)(c) does not increase the limit referred to in that sub-paragraph” creates a potential `loophole` that could allow the Nominated Undertaker to create additional nuisance and blight above and beyond That contemplated in the Environmental Statement. Your Petitioners are concerned that sub-paragraph (1)(c) refers only to stations, depots and shafts. In rural areas where no such structure (s) is/are planned the line could be raised in an obtrusive manner not conducive to the character of the local landscape and such elevation might also give rise to additional visual and audible nuisance.

29. Your Petitioners seek an amendment to the Bill to the effect that upward deviation be restricted to 1 metre except where 3 metres does not increase visibility egg where up to 3 metres elevation is in a deep cutting and where the Undertaker exercises this power the Promoter will be required to provide both visual and audible mitigation to the highest available standards so that the impact on communities is no greater than that forecast in the Environmental Statement and that where the Promoter exercises this power they will be required to provide both visual and audible mitigations to the highest standards and commensurate with the needs of the affected communities

### **General**

There are other clauses and provisions in the Bill which, if passed into law as they now stand will prejudicially affect the rights and interests of your Petitioners and other clauses and Provisions necessary for the protection and benefits are omitted therefrom.

YOUR PETITIONERS THEREFORE HUMBLY PRY

Your Honourable House that the Bill maybe not pass into law as it now stands and that they be heard by themselves, 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 amendments as may be necessary and proper for their protection and benefit.

AND YOUR PETITIONERS will ever pray, &c

HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL(LONDON-WEST MIDLANDS)

PETITION

of

UFTON PARISH COUNCIL

AGAINST THE BILL – ON MERITS – BY COUNCIL &c