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IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

High Speed Rail (London – West Midlands) Bill

Against the Bill – on Merits – Praying to be heard by counsel, etc.

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION OF John Colet School, Wharf Road , Wendover, Buckinghamshire, HP22 6HF; Company No. 07633408

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 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 Secretary Patrick 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, 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 compulsory acquisition, the extinction and exclusion of rights over land, the temporary possession and use of land, planning permission and deregulation in connection with, inter alia, heritage and environmental matters. Clauses 37 to 52 deal with railway matters, nominated and statutory undertakers, regeneration and reinstatement and further high speed rail works. Clauses 53 to 65 contain miscellaneous and general provisions.
4. The nominated undertaker (defined in the Bill and hereinafter referred to as “the nominated undertaker”) is authorised by the Bill to construct and maintain the works specified in Schedule 1 to the Bill being works for the construction of Phase One of High Speed 2 and works consequent on or incidental to such works. These works are called “the scheduled works”.
5. Your petitioner (hereinafter referred to as “the Petitioner”) is a secondary school in the village of Wendover with about 900 students studying at GCSE level in years 7-11 and about 120 students studying AS and A levels in years 12 and 13. There are over 100 staff. The school became an Academy on 1 August 2011. The school serves students in Wendover

with a broad catchment area extending particularly east, west and north into Aylesbury. Many students and staff access routes to the school are affected by the proposed construction.

6 On 11 March 2014, the full Governing Body of your Petitioner resolved to petition Parliament over its concerns about the construction and operation of the proposed High Speed 2 line (HS2) which passes through the village and the potential impact on student travel, safety and welfare during the extensive construction works proposed for reasons, amongst others, hereinafter appearing.

7 The school shares a campus site with separate primary and middle schools close to the centre of Wendover to the east of the proposed HS2 route. There is also a day care centre for preschool children and another nursery nearby.

8 Access routes to the campus are via Aylesbury Road (part of the B4009) and Wharf Road and via Tring Road (also part of the B4009) turning into Manor Road. Wharf and Tring Roads are suburban streets with on street parking and side roads. There is a partial cycle lane shared with pedestrians down part of Aylesbury Road but this does not extend to the Wharf Road turning. There is no cycle path on Wharf Road. There is a cycle path and crossing on Tring Road and a shared cycle route down Manor Road, a steep hill.

9 There is considerable traffic congestion at the junction of Aylesbury Road and Wharf Road between 07:30 and 09:00 and between 14:45 and 16:00 during term time. The same situation applies to the Tring Road and Manor Road junction but with limited visibility and a hill start from Manor Road. There are many campus users who arrive and depart at staggered times. Some students are driven to the campus, some walk, others cycle, others use a bus service organised by Buckinghamshire County Council. Currently, students arrive at your Petitioner's premises by 08.30 and leave between 14:55 and 16:00 but these times may alter and there are other campus users as detailed in Clause 7.

10. The Bill would authorise the construction and operation of the railway through and near Wendover.

11. The head teacher of your Petitioner has held one bilateral meeting with HS2 Ltd and a school governor has represented your Petitioner at local (CFA10) community forum meetings.

12. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken in and near Wendover between Little Missenden and Stoke Mandeville. These works consist mainly of Wendover Dean viaduct; a cutting from the northern end of the Wendover Dean viaduct to Hartley Farm; an embankment between Hartley Farm and Road Barn Farm; Small Dean viaduct; an embankment between the northern end of the Small Dean viaduct and the southern end of the Wendover green tunnel, and the Wendover green tunnel. They include ancillary works such as satellite compounds, auto-transformer stations, balancing ponds and portal buildings.

13. Your Petitioner's main objective is to persuade your Honourable House to lower the line into a fully-bored tunnel as it passes through the whole of the Chilterns AONB ending at the AONB boundary to the north of Wendover.

14. Your Petitioner's second objective is to persuade your Honourable House to require that the construction of the line minimises dust, noise and disruption that may affect the

education and welfare of students at your Petitioner's school and on the campus generally and that for safety reasons and to avoid traffic disruption that no construction traffic is permitted to use Aylesbury Road and Tring Road (part of the B4009) in Wendover in term time (such dates being determined by your Petitioner and advertised in advance) between 07:30 and 09:00 and between 14:45 and 16:00 each day.

Problems caused by the construction process of the scheduled works

15. Your Petitioner avers that during construction of the scheduled works there would be the following effects on Local Residents:

16. Disruption of traffic and substantial delays along all local roads, caused by around 300 HGVs per day, especially the A413, the B4009 and the A41. The most direct access to the A41 is by the centre of Wendover to Tring Road (B4009) from the south with a short cut along Wharf Road and Manor Road from Aylesbury Road (B4009) from any construction site to the North.

17. A serious strain on local community services such as the Wendover Health Centre and the Police, caused by an influx of construction workers which might affect students and may cause security problems on the open campus site.

18. Dust caused by chalk and soil from construction and excavation, leading to the exacerbation of any respiratory problems suffered by students at the time, for example, due to asthma or other respiratory conditions. On storage, chalk dries out, creating dust, the effect of which will be made worse by the prevailing south-west wind, which blows directly onto Wendover. Such dust may affect student health and the operation of the school, for example, on sports activities. There may be other toxic and metallic residues generated.

19. Substantial damage to the local cultural heritage, including the listed St Mary's Church, which is used for cultural purposes. Students from the school participate from time to time in concerts given at the church and may also attend with their families for religious and other purposes.

20. The risks of disruption to power supplies caused by the need to move the electricity pylons near the line.

21. Disruption to Ellesborough Road via Butler's Cross which provides an optimal travel route for students living to the West of Wendover to access the school site. The alternative route via Terrick (B4009) will also be affected by A4010 road alterations and bypass proposed for Stoke Mandeville village and by the construction of a bridge over the A413 north of Wendover near World's End. Access to the south (A413) may be hindered by construction of the Small Dean Viaduct.

22. Noise from machines digging the green tunnel, moving spoil, constructing embankments and viaducts and traffic connected with that, leading to the inability to concentrate during the day, and inability to sleep at night. In particular the projected night-time noise will be substantially above the World Health Organisation guidelines. The noise projections given out by HS2 Ltd. have been of average noise, rather than maximum noise, which has the greatest and most harmful effect. Further, the Department for Transport has incorrectly used targets for upgraded existing lines rather than the proper target for new projects. This is of particular concern to your Petitioner during May and June when Year 11-13 students sit crucial exams, currently GCSE, AS and A2.

23. Light over the construction area causing light pollution. Many students live in an area where there is little artificial lighting so this incursion of light would be very noticeable.

24. The serious effect on the springs and aquifers that exist in Wendover, which may adversely affect the local water quality and for which no survey has been carried out.

Problems caused by the completed works and the operation of HS2

25. Your Petitioner avers that the completed proposed scheduled works would have the following permanent effects:

26. The noise from the HS2 trains would cause an intolerable strain upon the life and affect the sleep of many students and is likely to be intrusive on the school site and playing fields. The periods during which the noise would be heard would be longer than the periods without noise with high bursts of peak noise at frequent intervals. This might be very adverse especially during the main exam period in May and June.

27. The damage to local facilities would be substantial especially those of value to young people such as the skateboard park; and those of value to Wendover as a community such as the cricket ground; many students play at the cricket club, which would be destroyed.

28. With no proper hydrological survey having been carried out by HS2 Ltd. your Petitioner is concerned that the operation of HS2 will have a serious effect on the springs and aquifers that exist in Wendover and potentially affect the water supply and building stability over the longer term. Your Petitioner is situated next to the Wendover Arm canal which is supplied by chalk springs.

The benefits of a fully-bored tunnel

29. Your Petitioner proposes that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover. This would avoid most of the disadvantages set out in paragraphs 16-24 above and all the disadvantages set out in paragraphs 26-28 above.

30. Various fully bored tunnel proposals have been made and HS2 Ltd has confirmed that from an engineering and construction point of view a fully bored tunnel is feasible. Your Petitioner has no specific views on the tunnel form save that any portal should be sited away from the Village, for example, as in the study conducted by Peter Brett Associates as commissioned by Chiltern District Council in association with Aylesbury Vale District Council, Buckinghamshire County Council and the Chilterns Conservation Board.

31. For the foregoing and connected reasons your Petitioner respectfully submits that the case for a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover is overwhelming, and unless the Bill is amended by the inclusion of such a tunnel then the Bill should not be allowed to pass into law.

Mitigation for construction of a fully-bored tunnel

32. If a fully-bored tunnel is included in the Bill, your Petitioner proposes that at least the following mitigation be adopted for its construction:-

33. That the number of construction vehicles using local roads be limited, and at all times be such as not to inconvenience other road users.

34. That no heavy construction vehicles or other contractor traffic (such as coaches carrying workers) be allowed on those sections of the B4009 in Wendover comprising Aylesbury Road and Tring Road, or on Manor Road and Wharf Road during term time (such dates being determined by your Petitioner and advertised in advance) between 07:30 and 09:00 and between 14:45 and 16:00 each day.
35. That the removed spoil should be removed by rail, not road or by use of slurry pipelines.
36. That a traffic management plan be agreed before construction starts with the local county, district and parish councils, such plan to go to arbitration if agreement cannot be reached.
37. That the permitted working hours for all matters relating to general construction be strictly limited to 8am to 6pm on weekdays, 8am to 1pm on Saturdays and not at all on Sundays, with an hour before and after for start-up and close down.
38. That acceptable noise levels be agreed before construction starts with the local county, district and parish councils, such noise levels to go to arbitration if agreement cannot be reached. In particular, such noise to be reduced and limited during May and June each year.
39. That noise levels be monitored on a frequent and regular basis by an independent organisation, with the result of such monitoring being immediately made public.
40. That artificial lighting at construction areas be limited to working hours.
41. That a full hydrological survey be carried out to determine if the current route is viable or whether it should be moved to a more suitable location.
42. That the maximum level of toxic traffic emissions from construction traffic be agreed with the local county, district and parish councils before construction starts, such emission level to go to arbitration if agreement cannot be reached.
43. That funding be made available to Wendover Health Centre and local hospitals for the provision of any necessary additional facilities to cope with increased health problems, such as sleep disturbance, respiratory illness and hypertension, and including those caused by traffic emissions and dust created by the construction of the scheduled works.
44. That funding be made available for increased local Police staffing likely to be required due to the advent of a substantial construction workforce. Your Petitioner notes that its premises and the campus generally are not fully fenced and are consequently potentially vulnerable.
45. That the Code of Construction Practice, and regulations and agreements dealing with all the above matters in paragraphs 33 to 44 be legally enforceable both at criminal and civil law, with civil law breaches being first dealt with by an Ombudsman, and the local county council having the right to bring both criminal and civil proceedings.

Mitigation for construction of the present proposal

46. However, if the proposal for a fully-bored tunnel is rejected your Petitioner proposes the following mitigation:-

47. That the existing proposed green tunnel be extended to the south and north of Wendover.

48. That the mitigation proposed in paragraphs 33 to 45 above be adopted.

Mitigation for the operation of the line

49. If the line does go ahead, the following mitigation is proposed for the operation of the train;-

50. That the speed of the trains be reduced as per the recommendation of the House of Commons Environmental Audit Select Committee Report, in order to help reduce the environmental impact.

51. That there be a legally enforceable noise limit covering the whole of Wendover and Dunsmore with substantial penalties for breach.

52. That, based on the example of HS1, a Community Fund of at least £25 million be established for the benefit of Wendover, Dunsmore and Halton, none of which would benefit from HS2 in any way whatsoever, since this would offer long-term benefits to successive generations of local Students. Your Petitioner notes that the business case for the line extends to 2092, the lifetime of current your Petitioner's current Students; your Petitioner also notes that its lease on its Premises extends beyond this date.

YOUR PETITIONER therefore prays your Honourable House that the Bill may not be allowed to pass into law as it now stands and that he may be heard by Counsel, Agent and witnesses in support of the allegations of this Petition against such of the clauses and provisions of the Bill as affect the rights and interests of your Petitioner and in support of such other clauses, amendments or provisions as may be necessary or expedient for his protection, or that such other relief may be given to your Petitioner in the premises as your Honourable House may deem meet.

AND your Petitioner will ever pray, etc.

Dr John Savin, Agent for the above-named Petitioner and a Governor of the Petitioner.

BACKSHEET:

IN PARLIAMENT

HOUSE OF COMMONS SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF JOHN COLET SCHOOL

Against the Bill - On Merits - By Counsel

