

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

Against - on Merits - [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 Marcus Thompson, Amanda Thompson, Master Alexander Thompson, Master Dominic Thompson

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.
- 3 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.
- 4 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.
- 5 Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.
- 6 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.

7 Your Petitioners are residents of the village of Little Kingshill, Buckinghamshire, which occupies the Metropolitan Green Belt and is situated entirely in the Grade 5 statutorily protected Chilterns Area of Outstanding Natural Beauty.

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

9 Your Petitioners object to the bill because their home in the village of Little Kingshill lies in close proximity to the A413 and the B485. Both these roads are proposed to be used under the Bill as routes for construction traffic. The Environmental Statement (ES) Volume 2 CFA9 predicts that:

Construction of the Proposed Scheme will result in increased traffic flows from workers and construction vehicles accessing compounds and also temporary road closures and diversions. (12.4.12)

and that:

Increased traffic during the most intensive periods of construction will cause additional traffic congestion and delay at a number of junctions in the area including at the A413 London Road with A4128 Link Road; A413 London Road with B485 Frith Hill; B485 Frith Hill/Chesham Road with Frith Hill; King's Lane with Frith Hill/Ballinger Road and Potter Row; B485 Chesham Road with King's Lane and B485 Chesham Road with Hyde Heath Road. (12.4.29)

10 Your Petitioners also use roads which are identified in the ES Non-technical Summary as being affected by traffic congestion: numerous junctions with the A413 in CFA8 around Amersham and in CFA10 (p.93) between Great Missenden and Wendover. In addition, in CFA11 (p.100) delays are predicted on the A4010 Risborough Road and A4010 Stoke Mandeville Bypass, resulting in difficulty accessing Stoke Mandeville Hospital.

11 It is expected that the construction sites feeding onto the B485 and onto the A413, between Little Missenden and the SE corner of Wendover alone will generate 1270 HGV and 3800 LGV movements per day. To this must be added the large numbers of vehicles from the Amersham and Stoke Mandeville construction sites if any impression is to be gained of the cumulative effect upon residents of LK and other local villages in trying to go about their normal, routine business. These conditions will persist over a number of years, and therefore cannot be considered as temporary.

12 The aforementioned routes are used regularly and very often by your Petitioners. The A413 and the B485 are used on a daily basis to transport the children of the family to and from school, and on at least two days a week to transport Amanda Thompson to and from her place of voluntary work. These routes are also used several times a week by the whole family for access to shopping, banking and leisure facilities in Amersham and Chesham. Your petitioners also use these routes on a very regular basis to visit other family members who live in Amersham and Little Chalfont. The A413 is also used as the most direct way to get to the airports at Heathrow and Gatwick via the M25, which are frequently used by Marcus Thompson for business travel.

13 The aforementioned A413 is the main route which would be used by Your Petitioners to get to the hospitals in Amersham and Stoke Mandeville, the latter

being the area centre for accident and emergency cases. Your petitioners have had to visit the accident and emergency department at Stoke Mandeville on more than one occasion with their children. The A413 is also the only direct and efficient route for emergency ambulances carrying patients from all the villages adjacent to the A413, including Little Kingshill, to A&E at Stoke Mandeville. This journey also involves travelling along the A4010 Stoke Mandeville bypass, which will also be significantly affected by closures and congestion over a number of years. Your petitioners therefore have considerable concern about unimpeded access to Stoke Mandeville Hospital.

- 14 For all the reasons stated above, your Petitioners rely heavily upon the A413 (and to a lesser extent the B485), such that the cumulative effect of the extra construction traffic causing congestion along the route from Aylesbury to Amersham will significantly impede them in going about their usual daily life. The combination of road closures around the A413 and the increase in HGV and LGV traffic on the A413 occasioned by the proposed route of HS2 will have a significant adverse impact on the ability of your Petitioners to go about their ordinary, day-to-day business for a number of years.
- 15 The increased air pollution that will result from the extra number of vehicles, and the emissions from idling engines in queues of traffic will compromise the health of your Petitioners, who will have to live and drive for several years in these conditions. Although your Petitioners are not currently asthmatic, they are advised and believe that it will put them (and in particular the children) at risk of developing this condition. Having to live and drive close to numerous construction sites will add airborne dust to these risk factors. Your Petitioners' village has no public transport service, other than school buses, so that the only means of travelling around the locality and beyond is by private car or taxi.
- 16 Your Petitioners will be likewise adversely affected by disruption, air pollution and traffic congestion during the construction phase of the high speed railway on the B485 that connects them via A413 to Chesham. In addition to the above inconveniences and hazards, this road will be subject to re-alignment over the South Heath green tunnel and the imposition of a new roundabout junction with King's Lane. There will be a huge amount of construction activity adjacent to this route, making it difficult for your Petitioners to negotiate for several years (ES Vol. 2 CFA9 report 2.3.46, 2.3.50, 2.3.56, 2.3.59, 2.6.64).
- 17 The traffic congestion on all the above routes, estimated to last for the seven years of construction of the high-speed railway, will cause delays to your Petitioners, making it difficult for your Petitioners to get to school, work and appointments on time, and increasing the cost of journeys and the time taken to access services, to get to friends and relatives locally, and to travel out of the area.
- 18 Your Petitioners are also concerned that the Bill does not guarantee that construction traffic will be kept out of their village, Little Kingshill. If no such guarantee is given, residents will be subjected to the traffic congestion, noise and increased air pollution associated with construction vehicles and other vehicles using the roads in the village as rat runs to escape traffic congestion on the A413.
- 19 Windsor Lane and Nags Head Lane are the primary routes through Little Kingshill (where your Petitioners live) to Great Kingshill, and on to High Wycombe and the northbound access to the M40, or from Great Kingshill to Prestwood and on to Princes Risborough. Neither road is in any way suitable for HGVs or the sort of

heavy usage that would occur if these roads became, as they would, alternative routes for frustrated users of the A413. Your petitioners are concerned that construction traffic and other vehicles will access Windsor Lane and Nags Head Lane from the A413, via Deep Mill Lane or via the old London Road exit at the Chiltern Hospital, to avoid the predicted congestion. This would cause an intolerable amount of traffic through the village over several years, with the associated disruption and health risks from air pollution. Your Petitioners habitually enjoy the peace and tranquillity afforded by residing in a village situated in the Metropolitan Green Belt and the Chilterns AONB. They are therefore anxious to preserve that peace and tranquillity during the construction and operation of the HS2 railway.

- 20 In addition to traffic congestion during the construction of HS2, woodland, including ancient woodland and the open countryside on the opposite side of the Misbourne valley to Little Kingshill will be destroyed and Public Rights of Way will also be impacted by the Bill. The ES Volume 2 CFA9 states that:

There will be minor adverse effects on non-motorised users due to increased travel distance from eight PRoW and two road diversions for a period of up to two years at GMI/79/1 & 2, GMI/12/1 (footpath), Frith Hill, GMI/80/1 (footpath), GMI/23/6, GMI/28/1 & 2 (footpath), GMI/33/3 (footpath) and Hyde Lane. The majority of the diversions are between 100 and 400m in length, apart from the diversions at GMI/33/3 (footpath) of 750m and Hyde Lane of 900m. There will be a moderate adverse effects due to the diversion of LMI/17/2 (footpath) by approximately 1.5km for a period of up to a year. (12.4.22)

Temporary closure and associated diversion of nine PRoW and two roads (GMI/79/1 & 2, GMI/12/1, Frith Hill, GMI/80/1, GMI/23/6, GMI/28/1 & 2, GMI/33/3, Hyde Lane and LMI/17/2), during construction will affect non-motorised users due to the increased travel distances required by associated diversions. (12.4.32)

There will be minor adverse effects on non-motorised users due to increased travel distance resulting from the permanent realignment of eight PRoW and two roads at GMI/2/1 (footpath), GMI/13/3 (footpath), King's Lane, GMI/33/4 (footpath), GMI/33/2, GMI/33/3 (footpath), B485 Chesham Road, GMI/27/1 (footpath), GMI/23/7 (footpath), LMI/21/1 (footpath). The majority of realignments are less than 400m in length, apart from GMI/2/1 (footpath) at 550m, LMI/21/1 (footpath) and GMI/23/7 (footpath) at 700m and GMI/13/3 (footpath) at 750m. (12.5.8)

- 21 As residents of the Chilterns AONB, your Petitioners enjoy its ecology, and the peace and tranquillity that extend for miles around; indeed, they have chosen to live in the village for precisely these reasons. They enjoy walking their dog with family and friends through the woodland and open countryside and along the Public Rights of Way (PRoW) in the area, and cycling and running along the quiet lanes in the area. It is a matter of considerable dismay to your Petitioners that large areas of woodland, including ancient woodland, and open countryside on the other side of the valley will be destroyed and the above PRoW will be disrupted by the Bill during construction of HS2, making it an untenable proposition over a period of several years to walk in the countryside or to use the PRoW. During operation of the railway it is unlikely that anyone will want to venture anywhere near the tracks for exercise and recreation because of the noise and disruption from up to thirty-six passing trains per hour. The permanent loss of these established and well liked PRoW will leave a significant impact on your Petitioners. Your Petitioners would also respectfully point out that many people from outside the immediate area currently enjoy the peace and beauty of the Misbourne Valley for exercise and

recreation and the proposed route of the railway would adversely impact upon such enjoyment permanently.

- 22 Your petitioners are numbered among the c. 1.2 million customers of Affinity Water, which supplies the whole village of Little Kingshill. It is a matter of alarm, therefore, that the ES Vol. 2 CFA 9 Report, *Water resources and flood risk assessment* states that:

13.4.44 Tunnelling and piling/diaphragm wall construction has the potential to have a temporary impact on groundwater quality. If fissures connect the working area of the Proposed Scheme directly to the Affinity Water groundwater abstractions protected by source protection zones referenced as TH011, and TH316, the impact of low levels of turbidity will be major due to the high quality required to be met for potable use, resulting in a large and significant effect.

13.4.45 Until a management strategy is agreed with the Environment Agency in consultation with Affinity Water, a potentially significant temporary residual effect on the Affinity Water groundwater abstractions remains.

- 23 It is also a matter of concern to your Petitioners that their local GP and hospital services will be expected to deal with the extra patient load generated by the workforce on the construction sites in the locality, thus placing extra strain upon the already over-stretched National Health Service provision.

- 24 Your Petitioners' neighbourhood has an active Neighbourhood Watch (NHW). The NHW co-ordinators work with the local and regional police forces and the Chiltern District Council Community Safety Officer to monitor and discourage criminal activity in the community. It is well-documented that construction sites are the target of both opportunist and organised criminal activity, and that terrorist attack is also a risk with such a major infrastructure project. In view of the proximity of three sizeable construction sites to Little Kingshill, and the Prime Minister's country residence in the locality at Chequers, your Petitioners are concerned about the security arrangements at these locations and the adequacy of local policing, which is currently not adequate to deal with such eventualities. A potentially significant and protracted distraction from routine local community policing places your Petitioners' village, and all others in the locality at risk of increase in criminal activity because of inadequate police resources.

- 25 There has already been extensive property blight in the area, particularly in South Heath and Hyde Heath. The value of your Petitioners' property may likewise be adversely affected during the construction phase of the project, and they may have difficulty in selling, even at a reduced price. Your Petitioners are concerned that, during the protracted construction phase, they may end up trapped in an unsaleable property, or be forced to accept significantly below the un-blighted market value in order to be able to move.

- 26 In view of the extensive deleterious effects of the proposed high speed railway upon the lives and livelihoods of your Petitioners during both its construction and operation, your Petitioners propose that the Bill be amended to provide the longest possible tunnel underneath the whole of the Chilterns Area of Outstanding Natural Beauty. This would remove the majority if not all of the construction traffic from the roads which the Petitioners habitually use, and would minimise the amount of any extra traffic through their village along Windsor Lane and Nags Head Lane.

- 27 Your Petitioners recognise that the cost of the proposed mitigation is significant. However, the absence of tunnel through the Chilterns will severely and adversely impact the quality of life of your Petitioners and all those living in the area for a number of years. Travel around the area for schools, shopping, work and general access to amenities will become very difficult for a long period of time. The general noise and congestion of the increased traffic, in the absence of the proposed mitigation, will also have a significant impact on the peace and amenity currently enjoyed by your Petitioners and other residents of Little Kingshill and the surrounding villages.
- 28 Moreover, the absence of the proposed mitigation once the construction phase is completed, will result in a permanent scar on an area of recognised outstanding natural beauty.
- 29 Even with the provision of such a tunnel, the Bucks County Council Highways authority in consultation with the emergency services, the Public Health officers and the relevant district Environmental Health Officers should be given the funding and the powers necessary to monitor the volume of construction traffic and dust and vehicle emissions and to regulate or call a halt to traffic movements where there is a danger to the health of the community, or any risk to the free movement of emergency vehicles.
- 30 If, for any reason connected with the construction of the railway, obstruction to the free passage of emergency ambulances on the route to Stoke Mandeville Hospital is anticipated, a fully funded and operational A&E unit at Wycombe Hospital should be reinstated before any construction work begins, with a back-up, fully funded air ambulance service for cases that need to be transported out of the area.
- 31 Under no circumstances should any construction vehicles or construction workers' traffic be allowed to enter Little Kingshill and the Bill should be amended accordingly to make a binding commitment to this.
- 32 The Bill should also not proceed to its Third Reading until Affinity Water and the Environment agency have come to an effective and binding management strategy. Such an agreement should be written into the Bill as an amendment, endorsed by all the relevant Public Health and Environmental Health professionals associated with all potentially affected Affinity Water customers, to ensure that public health is protected in the event of any potable water contamination. The Select Committee should take account of any potential adverse effect upon the fragile aquifers of the Misbourne valley when considering the various AONB tunnelling extension proposals.
- 33 Your Petitioners respectfully request binding assurances that, before any construction workers are moved into the area, there will be extensive discussion and consequent agreement with NHS managers, to ensure that sufficient increased funding and the necessary number of trained personnel are in place, both in GP practices and the hospital service, to cope with the extra load upon the NHS.
- 34 Your Petitioners also request binding assurances that the highest industry standards with regard to construction site and national security will be put in place

and will be maintained throughout the construction and operation of the railway; there should also be binding guarantees that local police forces will be given the extra funding, personnel and training to cope effectively with this unprecedented responsibility in their jurisdiction. Your Petitioners therefore request that no construction work will begin until such security measures are firmly in place and endorsed by industry leaders, in consultation with the Chief Constables of the relevant police forces. Your petitioners also request that a binding commitment will be made and acted upon to reassure local communities through regular communication with the Neighbourhood Watch network throughout the lifetime of the railway.

- 35 As a protection against construction sites in the locality providing a focus for criminal activity, your Petitioners request that the recommendations of the Chartered Institute of Building and the British Security Industry Association are strictly enforced. To ensure the legitimacy of security-guard companies used for onsite security they must be registered with the Security Industry Authority (SIA) and when working onsite they must wear a current SIA issued Blue Badge; hiring companies that are not registered could result in funding organised crime. Employees should have sufficient qualifications, status and experience to work in the industry, and should have pre-employment reference checks, qualification checks and identity checks. This should include both directly employed and sub-contracted staff; those that are not properly qualified could be a health and safety risk. All employees should be paid at industry agreed rates to prevent the hiring of workers who will accept below the minimum rates, because they are in the country illegally.
- 36 Your petitioners request that the current property compensation arrangements are independently reviewed, to make full and fair compensation immediately available to anyone who has a need to move from a blighted property, irrespective of distance from the centre of the line. Currently, HS2 Ltd. is the sole arbiter of decisions about exceptional hardship or need to sell, and so far has not been sympathetic to genuine need. There should be independent scrutiny of such decisions and HS2 Ltd., with its vested interest, should be excluded from the process. If there are insufficient funds in the HS2 budget to provide full compensation to every blighted household, the project should be abandoned. Affected property owners should not be expected to put their lives and careers on hold, trapped for years in unsaleable houses, or to subsidise the project by accepting substantial financial losses if they are able to sell.
- 37 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the relevant clauses of the Bill are amended as proposed above, so far affecting your Petitioners, it should not be allowed to pass into law.
- 38 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.

BACK SHEET

IN PARLIAMENT
HOUSE OF COMMONS
SESSION [2013-14] [2014-15]

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF MARCUS THOMPSON, AMANDA THOMPSON, ALEXANDER
THOMPSON, DOMINIC THOMPSON

AGAINST, By Counsel, &c.

Names of Petitioners in Person:

Mr Marcus Thompson
Mrs Amanda Thompson
Master Alexander Thompson
Master Dominic Thompson