

IN PARLIAMENT
HOUSE OF COMMONS
SESSION (2013-2014)

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 Jennifer Irene Waller

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 petitioner is a retired professional person, and a freehold owner of “The Outlook” Dunsmore HP22 6QJ. Dunsmore is a tiny rural settlement, no pubs, no shops, no street lighting, no mains drainage, and little noise. This morning the ambient noise level recorded was 39.5 decibels. This is a very low ambient noise level and is typical reading for Dunsmore. Any increase in decibel level will be very noticeable given the very low baseline. For many of the residents of Dunsmore and in particular for your Petitioner herewith Dunsmore is a haven of beauty and tranquility. It is the highest settlement in The Chiltern Area of Outstanding Natural Beauty, over 800ft above sea level. Dunsmore is on the ridge adjacent to the National Trust area known as Coombe Hill, and close to Chequers Estate. Dunsmore is surrounded by Beech woods, pasture and agricultural land. There are two spring fed ponds a small common and many footpaths and bridleways. Part of the inter-connected PRow that are such a feature of the AoNB. A single-track lane reaches the settlement from the A413. The lane then runs west to the Rignall Road.

Dunsmore has been included by HS2 Ltd in bilateral and forum meetings in recognition of the serious impacts of the HS2 proposal and line.

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

9 Your Petitioner avers that she is currently, and will be, seriously and adversely affected now and during both the construction phase and then during operation

Current problems caused by the proposal for an HS2 line through the AONB

Living in Dunsmore, in the AONB, is a privilege. Privilege carries responsibilities. As part of the Community of Dunsmore, your Petitioner has worked consistently to protect this environment for posterity. It is accepted that there will be rare occasions when such a protected landscape needs to be forfeited for the National good. However, having considered this for 4 years, and examined the evidence, your Petitioner is convinced that HS2 is not in the National good. Government has ignored evidence which disproves the case and withheld relevant information. There is still no integrated transport policy. The needless desecration of this protected landscape will therefore be a tragedy.

The blight and effort that your Petitioner has dedicated to examining and involvement in the HS2 process has deprived the Petitioner of the potential of enjoying a fulfilling and rewarding retirement. Being of a certain age it is causing me considerable anxiety that my remaining years will be spent looking at and hearing a giant construction site and then if I live long enough the horrendous spectacle of the concrete monstrosity, that is the line, and high speed trains destroying the tranquility. I would, if I could, walk away and sell my home. Because of the derisory and restricted compensation scheme I would be financially compromised. Government are totally unmoved by my, and the plight of many others. They care not about the financial, health, emotional and social consequences of HS2. It is making a disgrace of democracy. It is generally considered that the proposal is being pushed forward by vested interests.

Problems caused by the Construction and Operational Phases, which will injuriously impact on your Petitioner

1. Property devaluation and difficulty in selling the property.

Properties in Dunsmore were bought at a premium and in great demand, because of the peace, beauty and tranquility of the area, and its position in the AONB. This is no longer the case and as a consequence your Petitioner will have suffered financially. As we say for people along the line it's all pain and no gain from the proposed HS2.

The remedy would be for HS2 Ltd to buy the properties at incremental pre-blight prices of all the people who undoubtedly will be detrimentally affected, Also compensate them for the costs in the process of buying and selling property. By doing this and by assessing comprehensively the losses to local economies incurred because of HS2 the true cost of HS2 would be known.

The remedy is a fully bored tunnel through the whole of the AONB

2. Construction and operational noise impacting on tranquility. In a tranquil area any increase in Decibel levels is intrusive and fluctuating noise levels more intrusive.

3. Destruction and irreversible damage of this unique landscape. The proposed line in the area of Dunsmore, south of Wendover, includes two 500 metre viaducts with a maximum height of 26 metres and a joining high embankment, balancing ponds, feeder station, spoil dumps otherwise known as sustainable placement areas.

4. Visual intrusion from construction and operation. Light pollution from Construction and operation of the trains.

5. Decrease in air quality caused by construction dust.

6. Reduced access to health facilities and all emergency services.

Impaired access to amenities will have a serious deleterious effect on Your Petitioner.

7 Your Petitioner has 2 daughters who grew up in the Chiltern AONB and they will inherit the family home upon the demise of your Petitioner and her husband. Because of the loss of property values in Dunsmore your Petitioner avows that the HS2 project will be responsible for a serious reduction in their inheritance. This surely flies in the face of natural justice as Your Petitioner and her husband have gone to considerable expense in financial planning for their retirement and ensuring that their children and grandchildren are adequately provided for financially within Your Petitioners limited resources.

Hierarchy of Remedial Measures:

1. A fully bored tunnel through the whole of the AONB. Whilst the Southern section of the AONB has received tunneling by way of mitigation this protection has been denied to the Northern section. All excavated, spoil and waste material should be removed from the AONB.

2. Failing a fully bored tunnel an enclosed structure similar to the Arup concept enclosure would be required on the 2 viaducts, Wendover Dene, and Smalldean, and on the embankment, to ensure people would neither see nor hear the trains. At the same time the electricity supply should be buried and pylons should be got rid of. Every crossing point should be designed as green bridges and we need world-class design for viaducts etc for this

specific setting.

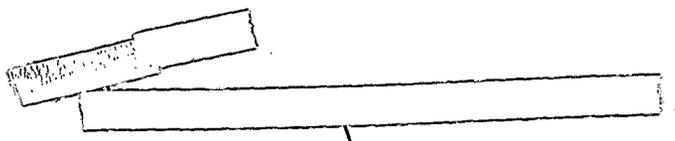
3. The Code of Construction Practice should be legally binding with independent oversight.
4. Compensation Scheme is not, but should be fair.

The impact on Dunsmore has not been acknowledged, or properly assessed in ES. There has been a failure to comprehend the topographical nature of the Misbourne valley, the Environmental Select Committee reported that only 40% of the route had been fully assessed, this must be rectified before the Bill proceeds as the destruction cannot be reversed.

There are other clauses and provisions of the Bill, which, if passed into law as they now stand will prejudicially affect your Petitioner and his rights, interests and property and for which no adequate provision is made to protect your Petitioner.

YOUR PETITIONER 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 Petitioner will ever pray, &c.



Signature of Petitioner

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PETITION OF JENNIFER IRENE WALLER

AGAINST, By Counsel, &c.

Jennifer Irene Waller

