

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 SUSAN NEWMAN

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 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 dis-apply 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 the freehold property owner of Pepperwood, Hare Lane End, Little Kingshill, Great Missenden, Buckinghamshire, HP16 0EX situated in the Metropolitan Green Belt and the Chilterns Area of Outstanding Natural Beauty.
- 8 Your Petitioner and her rights and interests are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.
- 9 Your Petitioner objects to the Bill because your Petitioner's property is located in close proximity to the A413, B485 and A4128 and immediate surrounding roads which are regularly used by your Petitioner. The roads are proposed to be used under the Bill as routes for construction traffic. The environmental Statement 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 B486 Chesham Road with Hyde Heath Road. (12.4.29).*

Your Petitioner also uses roads which are identified in the Environmental Statement 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 where your Petitioner has a daughter (who has MS) and grandchildren whom she looks after each week and often babysits and visits for recreation and walks in the surrounding area which at present forms the beautiful, quiet Chiltern countryside and hills. All of this will be lost for our children and grandchildren for ever. Your Petitioner uses all the above mentioned roads on a regular basis for her work with Knight Frank Estate Agents, visiting many houses all around the area and often in fairly inaccessible, remote places which will be harder to reach with the proposed ongoing construction/traffic chaos and road diversions. Your

Petitioner will incur extra costs in time and fuel to use diversionary routes both for her personal and family life but mostly for her working life which is based almost exclusively within the area affected.

Your Petitioner travels along the A413 both for work and to take her husband to Amersham hospital or Chiltern hospital for a chronic medical condition for outpatient appointments.

As all this construction work will be lasting for several years, the quality of your Petitioner's life and her wider family will be adversely affected during all this time - inconvenience of road use, congestion, diversions, noise, pollution, air quality and extra traffic using all the local villages, such as Little Kingshill, where there is an infants and junior school, to avoid diversions. Your Petitioner also understands that the Public Rights of Way will also be impacted by the Bill. The Environmental Statement Volume 2 CF19 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 and 2 (footpath), GMI/3/3 (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 1.5m for a period of up to a year. (12.4.22).*

*Temporary closure and associated diversion for 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 require 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).*

Your Petitioner currently enjoys the peace and tranquillity of the Chilterns Area of Outstanding Natural Beauty and it is the reason most people moved here. Your Petitioner has been here 30 years and, like so many other residents, assumed that the AONB designation was sacrosanct and something to be cherished for our children, grandchildren and future generations. By disrupting so many Public Rights of Way in this area whilst construction of the high-speed rail is undertaken, your Petitioner and her wider family will lose this basic right to enjoy the countryside in peace. When the work is finally finished after several disruptive years of construction then up to 36 high-speed trains will be passing through the area each hour together with the unsightly overhead wires and endless noise, pollution and compounded by the inability to access the well-worn PRow used in the past. The Environmental Survey has brought up endless objections and one of the

main features of the Chilterns are the ancient woodlands some of which will be destroyed for ever.

- 10 Your Petitioner numbered among the c. 1.2 million customers of Affinity Water, which supplies all of the village. 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.*

- 11 Your Petitioner's village 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 LK, and the Prime Minister's country residence in the locality at Chequers, your Petitioner is concerned about the security arrangements at these locations and the adequacy of local policing, which is currently not sufficient to deal with such eventualities. A potentially significant and protracted distraction from routine local community policing places your Petitioner's village, and all others in the locality, at risk of increase in criminal activity because of inadequate police resources.
- 12 There has already been extensive property blight in the area, particularly in South Heath and Hyde Heath. Your Petitioner's husband has Parkinson's disease, and they are very likely to have to relocate before the end of the construction phase. The value of your Petitioner's property may likewise be adversely affected during the construction phase of the project, and she and her husband may have difficulty in selling, even at a reduced price. Your Petitioner is concerned that, during the protracted construction phase, she and her husband will either be trapped in an unsaleable property, or be forced to accept significantly below the un-blighted market value in order to be able to move.
- 13 Your Petitioner proposes that the Bill is amended to provide the longest possible fully bored tunnel under the whole of the Chilterns Area of Outstanding Natural Beauty, which would remove the majority, if not all, of

the construction traffic from the roads thus preventing traffic congestion, pollution, noise and when finished, the unsightly view of a high-speed train with overhead wires either in deep cuttings or on viaducts (towards Wendover). The whole project would totally ruin this treasured area which relies on not just local residents to make it viable but also tourists who come in their thousands to walk the hills and use the footpaths as well as visit such places as the Roald Dahl museum and the many sites and historic houses in the Chilterns. It would be like suggesting that a high-speed train should be built through the Peak National Park – imagine the uproar that would bring. The Petitioner feels the ONLY SOLUTION to ensure the Chilterns Area of Outstanding Natural Beauty stays for future generations is the provision of a fully bored tunnel under the whole area.

- 14 Your Petitioners also respectfully ask that 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.
- 15 Your Petitioners also ask for 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.
- 16 Your Petitioners also respectfully 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 it 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.

- 17 For the foregoing and connected reasons your Petitioner respectfully submits that, unless the relevant clauses of the Bill are amended as proposed above, so far as it affects your Petitioner, it should not be allowed to pass into law.
- 18 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and her rights and interests and for which no adequate provision is made to protect your Petitioner.

YOUR PETITIONER therefore humbly prays your Honourable House that the Bill may not be allowed to pass into law as it now stands and that she may be heard by her Counsel, Agents and witnesses in support of the allegations of this Petition against so much of the Bill as affects the rights and interests of your Petitioner and in support of such other clauses and provisions as may be necessary or expedient for her 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's Agent: ..........

BACKSHEET:

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