

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

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

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 owners of the freehold property 18 Meadow Cottages, Little Kingshill, Great Missenden, Buckinghamshire, HP16 0DX, situated in the Metropolitan Green Belt and the Chilterns Area of Outstanding Natural Beauty (AONB).

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 the village of Little Kingshill (LK) in which they reside, lies in close proximity to the A413, and B485. Both these roads are proposed to be used under the Bill as routes for construction traffic and both are used regularly by your Petitioners. 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)

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.

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 the residents of LK, including your petitioners, and other local villages in trying to go about our normal, routine business. These conditions will persist over a number of years, and therefore cannot be considered as temporary.

The aforementioned routes are used regularly by your Petitioners to get to and from work, to access shopping and other facilities such as the bank, church, garden centre, golf club and medical facilities in Aylesbury, Wendover, Chesham and Amersham. In addition, your Petitioners use the A413 to pick up their children from Amersham when they visit and to get to and from London via the Chiltern Railway station and the TFL Metropolitan tube line in Amersham. The A413 is also the most direct way to get to the M40 south at Beaconsfield, which one of your petitioners uses to make regular visits to their daughter. Your Petitioners also use this route to travel on to the M25 to get to and from Heathrow or Gatwick, when they pick up their children.

For all the reasons stated above, your Petitioners rely heavily upon the A413, such that the cumulative effect of the extra construction traffic causing congestion along the route from Amersham to Aylesbury will significantly impede them in going about their usual business, particularly when they have to get to their destinations at a particular time.

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 one of your Petitioners, who suffers from asthma. He will have to drive for several years in these conditions. Having to drive close to numerous construction sites will add airborne dust to these risk factors. The village has no public transport service, other than school buses, so that the only means of travelling around the locality and beyond for your Petitioners is by

private car or taxi, in both of which they are vulnerable to air pollution.

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 the 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).

The traffic congestion on all the above routes, estimated to last for the seven years of construction of the high-speed railway, will cause unacceptable delays, making it difficult for your Petitioners to get to work and appointments on time, and increasing the cost of journeys and the time taken to access services, to get to friends and relatives, or to travel out of the area.

Your Petitioners are also concerned that the Bill does not guarantee that construction traffic will be kept out of Little Kingshill. If no such guarantee is given, residents, including your Petitioners, 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.

Your Petitioners relocated from London when their children were small to enjoy the peace and tranquillity afforded by residing in a village situated in the Metropolitan Green Belt and the Chilterns AONB. As your Petitioners approach their later years, they are even more anxious to preserve that peace and tranquillity during the construction and operation of HS2.

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 LK will be destroyed and Public Rights of Way (PRoW) will also be impacted by the Bill. As residents of the Chilterns AONB, your Petitioners enjoy its ecology, and the peace and tranquillity that extend for miles around; they have chosen to live in the village for precisely these reasons and are members of the Chiltern Society, the Woodland Trust and the RSPB. It is therefore a matter of considerable dismay to your Petitioners that large areas of woodland, including ancient woodland, open countryside and wildlife habitats on the other side of the valley will be destroyed.

Your Petitioners are numbered among the c. 1.2 million customers of Affinity Water, which supplies all of the village. They rely on the safety of the potable water, and also need a clean and ready supply for their allotment. 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.

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 if they have to move. Your Petitioners are approaching the stage of life

when they may need to realise the value of their property if they have to move into sheltered accommodation. They are concerned that, during the protracted construction phase, they 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.

10 In view of the extensive deleterious effects of the proposed high speed railway upon your Petitioners during both construction and operation, your Petitioners respectfully propose that the Bill is amended to provide the longest possible tunnel underneath the whole of the Chilterns Area of Outstanding Natural Beauty, which would protect its unique ecology and landscape, including ancient woodland and wildlife habitats; this mitigation would also remove the majority, if not all, of the construction traffic from the roads that your Petitioners habitually use, and would minimise the amount of any extra traffic through the village of Little Kingshill.

A further mitigation would be the removal of overhead power lines and pylons in the parts of the AONB affected by the HS2 project, which could be incorporated into the construction works. The Secretary of State for Transport has apparently sanctioned the undergrounding of power lines as part of the A5/M1 Dunstable Bypass link road works, due to start in 2015. In 2013, the Electricity Regulator also awarded the National Grid an additional £500m for the next 5-year control period, to use for undergrounding of overhead grid lines where these are being replaced as maintenance items.

Even with the provision of a fully bored tunnel under the whole of the AONB, 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, including your Petitioners.

One of your Petitioners is a contributor to the air ambulance fund and is therefore interested in emergency ambulance provision. 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, your Petitioners respectfully request that 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.

Your Petitioners also respectfully request that under no circumstances should any construction vehicles or construction workers' traffic be allowed to enter the village of Little Kingshill and the Bill should be amended accordingly to make a binding commitment to this.

Your Petitioners 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. For instance the Green Tunnel Route promoted by Chiltern District council appears to avoid potential damage to the aquifers.

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 the need to sell that may face your Petitioners, 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 on hold, trapped for years in unsaleable houses, or to subsidise the project by accepting substantial financial losses if they are able to sell.

- 11 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 as it affects your Petitioners, it should not be allowed to pass into law.
- 12 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 and interests and for which no adequate provision is made to protect your Petitioners.

YOUR PETITIONERS 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 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 Petitioners in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

Signatures of Petitioners in person: .....

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