

PETITION

Against the Bill – 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 Andrew Michael Auldjo Jamieson

SHEWETH as follows:-

1. A Bill (hereinafter called 'the Bill') has been introduced into 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 ('Phase One of HS2') are specified in clauses 1 and 2 of and Schedules 1 and 2 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 and Schedules 2 and 3 to the Bill.
7. Your Petitioner is a property & business owner living & working in Southam, said property & business being outside the area currently proposed for compensation, yet materially affected by the project both in construction and once the project is running.

Their rights, interests and property are injuriously affected by the Bill, either directly or indirectly, by the works referred to above.

Your Petitioner has little confidence that the benefits claimed for the proposed works will be realised, and that it will damage both the national economy and the environment and amenity enjoyed by the population. However, in recognition of the determination of the Promoters to proceed with the scheme, your Petitioner has worked assiduously to win for the people of Southam and surrounding parishes the best possible mitigation of the harmful impacts.

Your Petitioner was invited to attend, and was an active participant in, the all rounds of Community Forum meetings arranged by HS2 Ltd between March 2012 and September 2013, as a member of the Southam Area Action Group, and in addition held formal and informal Bilateral meetings with HS2 engineers and other HS2 staff, compensation meetings, and set up meeting with local farmers, business people and individuals to encourage them to engage with HS2 staff.

8. Your Petitioner avers that they and their property, rights and interests in their area and the inhabitants thereof would be injuriously and prejudicially affected by the provisions of the Bill if passed into law in their present form and they accordingly object to the Bill for the reasons, amongst others, hereinafter appearing.
9. Your Petitioner opposes the Bill in principle. Whilst your Petitioners acknowledge that the principle of the Bill is established at second reading, your Petitioners' views on the subject are so strong, they must be recorded in this petition.
10. Adequate Compensation – Individual & business
As a consequence of the wide range of detrimental impact of the construction and operation of the railway on the Southam area, your Petitioner requests an Undertaking on the following community-related issues:
 - (i) To provide adequate compensation to residents up to at least 1km from the line. The latest maps from HS2, titled 'Operational impact of High Speed 2', clearly shows impact covering half of the town of Southam. Yet the latest compensation offer is only for a fraction of that, and must be amended to encompass all those who will be affected, as shown on HS2 Ltd's own maps. This is likely to increase the number of houses receiving compensation in Southam to over 1000.
 - (ii) To establish a compensation scheme for businesses that can prove a loss of income as a result of the construction of the railway, to include the loss of time due to road closures & amendments, and the very significant increase in traffic volumes for up to 6 years. Also a fund to

enable the marketing and promotion of retailers and other businesses in Southam during the construction period. The latest maps from HS2, titled 'Operational impact of High Speed 2', clearly shows impact covering half of the town of Southam. This covers a significant number of businesses in Southam with a potential impact on employment in the area.

11. Mitigation

A number of communities in the District lie close to the line of the route of the proposed railway and will be affected to varying degrees. None of the communities affected will gain any benefit from the railway. In your Petitioners' submission, it is entirely reasonable to expect the Promoters and the Nominated Undertaker to provide mitigation over and above that which is currently being proposed, and also to provide compensation to communities by the provision of additional infrastructure, facilities and funding which will benefit them as a whole. In the following paragraphs, your Petitioner sets out a range of expectations in that regard, but considers that the Promoters should be required to consider further suggestions provided by your Petitioner and the local communities themselves.

12. Isolation

Southam & the surrounding community is Uniquely, Severally and Adversely affected by the construction phase and the running phase of the infrastructure project called HS2. Your Petitioner avers that Southam and its surrounding area will be significantly affected by the construction and operation of the proposed railway, as could your petitioner's business which can rely on speedy response to client issues. Overall, the town of Southam will be very badly hit by the construction of the railway, with no benefits arising for its residents and businesses, and many negatives from the project in its current form.

13. In its Environmental Statement, the Promoters described the impact upon Southam as '*minor adverse effect*' and '*isolation effect on residents is assessed as negligible*'. It made no comment about the impact on businesses and employment.

14. In fact, for up to 6 years the town of Southam could become isolated, causing a severe impact on residents, businesses and the way in which the community as a whole functions. This includes the need to divert gas, electricity and water mains. Southam has a mix of shops and services which are vital to its catchment areas of rural communities. In turn, the businesses rely on this regular custom. It is clear that access to the town will be seriously disrupted by the construction of the railway, resulting in loss of trade.
15. No assessment been carried out of the effect on the community as a result of an additional 2000 heavy goods vehicles on the local road network every day, the majority of them being 40 tonnes, together with road re-alignments and closures. A full and complete assessment involving Councils, Businesses and individuals, as well as health officials and emergency services, must be carried out prior to any work starting, and any impact found should have mitigation implemented.
16. Construction of the railway affects two exits from Southam to the south (A423 and B4451) and two to the west (A425 & Welsh Road West), as well as the closure of the Long Itchington Road at its junction with the Fosse Way and the re-alignment of the Fosse Way at its junction with Welsh Road West. The construction programme anticipates road works lasting 2 years for each component, which means that at least two, and possibly more, will have to be carried out at the same time. The consequent effect on Individual & business travel within & without the area will be extraordinary, due to road works & the additional traffic, 2000 extra vehicle movements per day. A Full assessment must be carried out and additional mitigation measures implemented to minimise the effect.
17. Your petitioner's own business will be severely impacted as it requires easy access to all parts of the country, often at very short (less than an hour) notice, to attend a client site.

Noise and Vibration

18. This section of the railway runs through a predominantly quiet rural area and will generate substantial noise and vibration impacts upon the locality. Your Petitioner avers that it is fair and reasonable for the community to expect the highest possible levels of mitigation against these impacts. The definitions of height and nature of these noise barriers is not determinable and further clarification and details are sought in this regard.
19. Your Petitioners request that the noise barriers used should be of the highest technical quality available and certified by independent specialist sound engineers that this is the case.

Traffic and Transport

20. The forecast is for traffic volumes to increase by 2000 heavy goods vehicle movements each day in an area which will also be affected by the 5 road re-alignments and 1 closure. The impact of all these on a community already facing a possible increase in housing of a significant number houses under a number of different planning applications, and more business units.

Yet HS2 feel there is minimal adverse effect. There must be a full assessment of the traffic increases on businesses, as well as the health impacts of the additional vehicle traffic which will all be Diesel, and will not be of 2017 emission standards as predicted by HS2. The effect of particulate emission from Diesel engines has been shown to seriously harm people especially Children.

21. Light Pollution

No assessment has been made of the impact of Light pollution, despite repeated requests in meetings with Hs2 Ltd, at a number of Community and Bi-Partite meetings as the record will show

There must be no impact of light pollution on a geographic area assessed at 'Dark Skies' by CPRE & Astronomical Society, from arcing from the pantograph, the internal train lights, any security lighting, and of course maintenance works which are carried out overnight. This will also be true from the nearby Maintenance loop.

We request that an analysis of Light Pollution and its effects be carried out, as it should have been in the EIA, and relevant measures taken to minimise the effect, returning the area to its 'Dark Skies' assessment.

22. Ground Borne Vibration & Noise

Ground borne vibration should be considered every time that noise is mentioned, and yet no analysis was produced in the EIA.

Your Petitioner is gravely concerned that no work has been carried out on the possible effects of vibration from the high speed trains on the local topography, with its significant Lias Limestone clay structure.

Furthermore, your Petitioner is concerned that vibration will have more significant impact on older / historic buildings which may have little, if any, foundations. Wherever liquefaction of ground may occur, works may be required to stabilise historic buildings, which will almost certainly have an impact on their value, and will adversely affect their value or even render them unsaleable.

Your Petitioner requests your Honourable House that the Promoter is required to carry out a detailed study of all sections of the route passing across clay areas to ensure that where a risk of liquefaction is possible, and or vibration, measures are put in place to avoid such an occurrence.

Your Petitioner also requests that the Promoters acknowledge that mitigation may be required for properties that lie outside the Limits within which protective works can be carried out under the Bill.

From the HS2 noise maps provided by HS2 Ltd and calculations of ground vibration businesses on the southern side of Southam will have no choice but to close with the loss of hundreds of key local jobs.

We have been given average noise levels and still not peak noise levels. Despite repeated requests no ground vibration figures have been supplied. Ground borne vibration can be a major concern for nearby houses, businesses and livestock units such as the Polo fields adjacent to the HS2 track.

The effects of ground borne vibration include feelable movement of the building floors, rattling of windows, shaking of items on shelves or hanging on walls and rumbling sounds. The vibration can cause damage to buildings. Annoyance from vibration can occur when the vibration exceeds the threshold of perception by only a small margin, with potential consequences for increase in ill health in the community. A house directly above the tunnel at Bascote Heath is so badly affected by the potential ground vibration with the tunnels only 17 metres underneath it that it now has no value.

The effect of vibration on certain industries will affect businesses in certain ways. A lithographic printer whose premises face the train will not be able to operate if there is any significant vibration. The same could also be true of high spec engineering businesses. Another example would be the Veterinary Surgery close to the line, one which carries operations out on site is unlikely to be able to continue such operation at this site.

The train wheels rolling on the rails create vibration energy that is transmitted through the track support system into the ground. At the high speeds planned there will be considerable ground vibration results. Each axle will weigh approximately 20 tons and at 225 mph there is enormous ground vibration potential for both the houses and businesses along the line.

The forward ground vibration in front of a train at speed, called the Rayleigh Wave effect is also not considered.

Your Petitioner would request that an analysis of the vibration and its effects be carried out, as it should have been in the EIA.

23. No apparent assessment has been made of the impact of the Micro pressure wave burst every 100 seconds at both ends of the tunnel and up to 2000 metres from the portal, both on livestock & horses, and the inhabitants of Ladbroke, Southam, Ufton and surrounding countryside. We have been told by HS2 staff that the forward projection of noise will be up to 2000 yards. 2000 yards is outside the current compensation limit, yet is a direct effect.

Your petitioner is concerned about the potential effect of infra Sound on both people businesses and animals in the Southam area close to the proposed line of HS2 and request that a detailed assessment be made of the likely levels of infra sound and the area likely to be affected.

24. Impact on Business Rates

It appears to your Petitioner that the business impairment referred to in paragraph 236 would, in some cases, constitute a Material Change of Circumstances for the purpose of assessing the rateable value of a non-residential hereditament. While a reduction in Business Rate would provide some relief to businesses adversely affected by the proposed railway, this could reduce the income received by our Local Authority. Your Petitioners seek an amendment to the Bill that would empower The Local Authorities along the length of the line to employ an officer to assist the quantification of the impairment experienced by local businesses and to expedite the processing of claims for revaluation of rateable values, and seek an undertaking from the Promoter that all costs arising from the employment of such a Rating Valuation Officer will be met by the Nominated Undertaker, and that the Council will receive full compensation for any reduction in the income from Business Rates attributable to the proposed railway.

25. Adequate Compensation for Businesses & Individuals & Groups

The HS2 Ltd guide to the new compensation proposals, sent by our 'Community Engagement Manager' begins with the statement: 'We are committed to providing full and fair assistance to individuals directly affected by HS2.' (This is copied directly from the first line of the flyer).

Your Petitioner does not see how schemes with strict distance limits can be classed as 'full and fair'. The fact that such scheme is for Individuals only and not for businesses is unfair as many small businesses are staffed by individuals and should not be considered separately from their owners.

A statement from the then Secretary of State for Transport Phillip Hammond, stated 'that unless the project can provide adequate compensation, the project should not go ahead'.

26. Noise

Noise both during the construction phase and the operational phase of HS2, will impact both the residents and businesses. Your petitioner requires that HS2 ensure that noise levels are maintained at legally acceptable levels during the construction phase, and that full height noise protection measure are physically out in place to minimise the effects of the a Train passing Southam and environs at up to 250mph every 100 seconds for 16 hours per day every day.

Your petitioner wishes to point out that the Southam area is Indeed a rare CPRE designated 'zone of tranquility' and 'area of low light pollution' with two tunnels running under ancient woodlands and SSSI.

This section of the railway runs through a predominantly quiet rural area of Warwickshire and will generate substantial noise and vibration impacts upon the locality. Your Petitioner aversthat it is fair and reasonable for the community of Southam to expect the highest possible levels of mitigation against these impacts.

27. Dust

Southam lies in the path of the prevailing winds, and will suffer unless adequate operational strictures are put in place and maintained strictly to minimise the impact of dust. During HS1 a significant amount of productive farming land was put out of operation by the impact of dust.

Most businesses operate computers which can be destroyed by too much dust, and this effect would be for 6 years in a Town which lies in the prevailing wind direction.

Your Petitioner is concerned about dust and dirt produced during construction of the high speed railway and associated development and the effects of this on the village and the environmental quality of the neighbourhood.

Your Petitioner is concerned that there are no binding mitigation measures in relation to emissions, especially in light of the siting of the sustainable placement areas for spoil, material crushing and the amount of earth to be moved.

Your Petitioner is concerned that airborne dust settling on foliage will be washed into local watercourses during periods of heavy rain increasing pollution and further threatening local wildlife.

Your Petitioner submits that in relation to dust there should be a precise, comprehensive and binding management plan, with a clearly defined authority for the monitoring of its implementation.

28. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, so far affecting your Petitioner, should not be allowed to pass into law.

29. 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.

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 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 Petitioners will ever pray, &c.

[Signature of Petitioner in person]



Andrew Jamieson

[The Petition should be endorsed on the back as follows:]

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION Andrew Michael Auldjo Jamieson

AGAINST, By Counsel, &c.

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Tel: [Redacted]

Email: [Redacted]

BACKSHEET:

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