

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 Richard Myhill Yarrow and Jennifer Ann Yarrow

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 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.
- 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 the freehold property owners of Albion Hill, Windsor Lane, Little Kingshill, Great Missenden, Bucks., HP16 0DL, situated in the Metropolitan Green Belt and Chilterns Area of Outstanding Natural Beauty.

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

The village of Little Kingshill (LK) lies in close proximity to the A413 and B485, both of which your Petitioners habitually use. These roads are proposed under the Bill as routes for construction traffic. The Environmental Statement (ES) Volume 2 CFA9, (12.4.12 & 12.4.29) predicts that there will be significant congestion on these roads for the duration of the construction phase.

9 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 (p.85) 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.

10 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, including your Petitioners 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.

11 The aforementioned routes are used regularly by your Petitioners in association with work, to access shopping facilities and other services such as banks, libraries, theatres, churches, garden centres, medical facilities, solicitors, estate agents and other professional services in Great Missenden, Wendover, Chesham, Amersham and Beaconsfield. In addition your Petitioners use the A413 travel to and from London via the Chiltern Railway station at Great Missenden and to pick up family, friends and work associates from the station at Amersham; the A413 is also the most direct way to get to the M40 south at Beaconsfield and on to the M25 for your Petitioners to travel for business and leisure purposes to and from Heathrow, Luton or Gatwick, either by private car or by taxi.

12 It is the route used by your Petitioners to get to the hospitals in Amersham and Stoke Mandeville, the latter being the area centre for trauma cases, some with life-threatening injuries. The A413 is the only direct and efficient route for emergency ambulances carrying patients from all the villages adjacent to the A413, including LK, to A&E at Stoke Mandeville. One of your Petitioners has had cause to be transported as an emergency case to this hospital. The journey 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 are therefore very concerned about unimpeded access to and from Stoke Mandeville Hospital, particularly for emergency ambulances. This concern extends also to the need for your Petitioners to visit inpatients or to get to outpatient appointments on time, and to be able to return home without undue delay because of traffic congestion, having been seen by doctors, nurses and other staff who have likewise been able to get to work without the stress and frustration of sitting in traffic queues. Your Petitioners

also have to take an elderly relative to regular outpatient appointments, where the same concerns apply.

- 13 In addition, your Petitioners also use the A413 to get to and from funeral services at St. John the Baptist Church in Little Missenden, St. Peter and St. Paul in Great Missenden (also accessed via the B485) and the Chilterns Crematorium at Amersham. All these destinations will be heavily impacted by construction traffic associated with the Keepers Wood vent shaft, the Mantles Wood tunnel portal, the South Heath green tunnel and the Amersham vent shaft. In addition to the distress of attending funerals, your Petitioners will have to cope with traffic delays and the associated anxiety of arriving on time and travelling on to wakes that are held at a variety of local venues close to the A413.
- 14 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.
- 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 one of your Petitioners who is extremely sensitive to traffic pollution and has asthma. Your other Petitioner will also be at risk of developing late-onset asthma under these conditions, which will persist for several years. Having to drive close to numerous construction sites will add airborne dust to these risk factors. The village of LK 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, in both of which, your Petitioners will be vulnerable to air pollution.
- 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 the A413 to Hyde Heath, where they visit the elderly family member, who is a permanent resident in Rayners Care Home. They also travel to the garden centre in South Heath and to shop regularly at Waitrose in Chesham via the A413 and the B485. One of your Petitioners also has ongoing Physiotherapy at the Chesham Leisure Centre. In addition to the inconveniences and hazards already enumerated associated with the construction of HS2, the B485 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 Your Petitioners run a business from home, and they and their clients rely on being able to travel freely throughout the area, both on a variable basis, and for the purposes of national and international travel. Your Petitioners and their associates will be similarly adversely affected during the construction phase by disruption, air pollution and traffic congestion on the aforementioned roads.
- 18 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 operate and to get to various appointments on time, increasing the cost of journeys and the time taken to access services, to get to friends and relatives locally or to travel in and out of the area.

- 19 Your Petitioners are also concerned that the Bill does not guarantee that construction traffic will be kept out of the village. 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.
- 20 Your Petitioners habitually enjoy the peace and tranquillity afforded by residing a village situated in the Metropolitan Green Belt and the Chilterns AONB. The members of LKVS are therefore anxious to preserve that peace and tranquillity during the construction and operation of the HS2 railway.
- 21 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. Your Petitioners habitually enjoy the peace and tranquillity afforded by residing 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. They cherish the open views across the valley from their home that will be scarred by HS2. As residents of the Chilterns AONB, your Petitioners appreciate its ecology, and the peace and tranquillity that extend for miles around; they are members of the Chiltern Society and the Woodland Trust and chose forty-five years ago to move to the AONB precisely to enjoy its peace and tranquillity, and to enable their children to grow up in a beautiful and healthy environment. 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.
- 22 Your Petitioners are 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.*
- 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 upon which they rely.
- 24 Your Petitioners' village has an active Neighbourhood Watch (NHW). One of your Petitioners is a NHW co-ordinator and Neighbourhood Action Group member, working 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 crime, 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 Petitioners are concerned about the security arrangements at these locations and

the adequacy of local policing, which is not sufficient to deal with such eventualities. Local police officers have already commented that they are currently overstretched. 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 if they have to move. Your Petitioners approaching the stage of life when they may wish to downsize, or to move into sheltered accommodation. During the protracted construction phase, they may find themselves either 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 livelihood of your Petitioners, during both construction and operation, when your Petitioners are likely to be disturbed by the noise from the Mantle's Wood tunnel portal, 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; 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.
- 27 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.
- 28 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, or any risk to the free movement of emergency vehicles.
- 29 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.
- 30 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, in view of your Petitioners' difficulty in entering and exiting from their driveway on Windsor Lane with the current modest traffic flows, and the already dense traffic at times on the A413. The Bill should be amended accordingly to make a binding commitment to this.

- 31 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. Account should also be taken of the small size of the pumping station on the A413 at Deep Mill, which is not likely to cope with filtering any extraneous debris caused by the construction.
- 32 Your Petitioners respectfully ask for 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.
- 33 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.
- 34 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. There should also be safeguards to compensate fully any owners whose properties develop subsequent defects as a result of the project.
- 35 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.
- 36 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 Agent for Petitioners: .....

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BACK SHEET:

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

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF RICHARD MYHILL YARROW AND JENNIFER ANN YARROW

Against the Bill – On Merits – By Counsel &c

Name of Agent: Mrs. Sandra MacDonald

Address: \_\_\_\_\_  
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Ms \_\_\_\_\_

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