

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 Dr.Dan Mitchell C.Eng.,Hon. F.I.Agr.E.,F.R.Ag.S.

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 HIGH SPEED RAIL (LONDON-WEST MIDLANDS) BILL
- 2 The Bill is presented by Mr Secretary McLoughlin.
- 3 (1) 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.

(2)Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.

(3)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 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 Your Petitioner is Dr Dan Mitchell C.Eng. owner of The Croft, Bascote Heath, Nr Southam ,Warwickshire and surrounding land which is only 300 metres from the HS2 tunnel.Dr Dan Mitchell has 20 years experience as a Manager in the Electricity Industry.He is both an Electrical and Agricultural Engineer. Over the last 35 years Dr.Mitchell has expanded and enlarged his property by designing and building garages,workshop and a barn which allows his son to have offices for his computer business on the site.The arrival of HS2 has destroyed his property value and the possible ground vibration will mean that his sons computer business will have to relocate at great personal cost to the business.

Dr Mitchell is directly and specially affected by the bill as his property has been reduced in value by over 50 %.This means that as he and his wife become elderly they will not be able to downsize to release capital and enjoy the fruits of their labour. This is totally unfair.

5 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.

6 (1) Your petitioner attended Southam area meetings with Hs2 Engineers on every occasion that meetings were held in Southam from Community forums to Bilateral meetings.

(2)Your petitioner requested that both noise and ground vibration figures be produced along the length of the line to help people blighted by HS2 understand the blight levels for noise and ground vibration. Average noise levels were produced by HS2 Ltd but not Ground vibration figures. At one Southam roadshow your Petitioner was informed that the Arup engineer in attendance had no information on ground vibration and the Engineers were not aware of specific information. A FOI request on this subject also failed to produce information on ground vibration

(3)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 Petitioners aver that it is fair and reasonable for the community of Southam to expect the highest possible levels of mitigation against these impacts.

(4)Your Petitioners are gravely concerned that no work has been carried out on the possible effects of vibration from the high speed trains on the local topography - more specifically the underlying Lias limestone Clay soils in Warwickshire which covers much of the Southam area .The effect of ground vibration on the local water courses is also a matter of concern.

(5)Your petitioners are concerned that many domestic,commercial and farm buildings along the line have shallow or no Building regulation foundations due to their construction before during or just after WWII so could be highly sensitive to ground vibration. Wherever liquefaction of ground may occur, works may be required to stabilise historic buildings, which will almost certainly have an impact on their significance.

(6)Ground-borne vibration can be a serious concern for nearby neighbors and businesses of a transit system route such as that of HS2 or maintenance facility, causing buildings to shake to the point of structural damage and rumbling sounds to be heard. It is unusual for vibration from

sources such as low speed buses and trucks to be perceptible, even in locations close to major roads.

(7) Some common sources of ground-borne vibration are trains, buses on rough roads, and construction activities such as blasting, pile-driving and operating heavy earth-moving equipment. HS2 has a design speed of 225 mph and your petitioner believes that at this high speed it is vital to determine the ground vibration levels likely

(8) 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. In extreme cases, the vibration can cause damage to buildings. Building damage is not a factor for normal transportation projects, with the occasional exception of blasting and pile-driving during construction but is likely from high speed trains. It can be partly mitigated by designing the track bed to incorporate vibration dampening materials. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by only a small margin. A vibration level that causes annoyance will be well below the damage threshold for normal buildings.

(9) The train wheels rolling on the rails create vibration energy that is transmitted through the track support system into the transit structure. The amount of energy that is transmitted into the transit structure is strongly dependent on factors such as how smooth the wheels and rails are and the resonance frequencies of the vehicle suspension system, the track support system and the speed of the trains. These systems, like all mechanical systems, have resonances which result in increased vibration response at certain frequencies, called natural frequencies.

(10) The vibration of the HS2 transit structure will excite the adjacent ground, creating vibration waves that propagate through the various soil and rock strata to the foundations of nearby buildings. The vibration propagates from the foundation throughout the remainder of the building structure. The maximum vibration amplitudes of the floors and walls of a building often will be at the resonance frequencies of various components of the building.

(11) The vibration of floors and walls may cause perceptible vibration, rattling of items such as windows or dishes on shelves, or a rumble noise. The rumble is the noise radiated from the motion of the room surfaces. In essence, the room surfaces act like a giant loudspeaker causing what is called ground-borne noise.

(12) Your Petitioner believes that it is very important for HS2 to both investigate and calculate the ground vibration levels from HS2 trains travelling at 225mph and the ground vibration levels at specific distances from the track

Your Petitioner requests that this information be provided for the length of the proposed track.

(13) Your Petitioners therefore humbly ask that the details outlined in this Petition be considered as a matter of urgency.

- 7 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, should not be allowed to pass into law.
- 8 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 [delete as necessary] 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



Dr Dan Mitchell

BACKSHEET:

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