

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013–14

**HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL**

**Against** – 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 GAWCOTT with LENBOROUGH PARISH COUNCIL,  
BUCKINGHAMSHIRE

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, 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 Own 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 ("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 represents Gawcott with Lenborough Parish Council, Buckinghamshire, hereinafter referred to as 'Your Petitioner', administering the area south of Buckingham (adjoining CF13) and affected by construction and worker traffic and noise and light pollution from the IMD Calvert and adjoining compounds. These matters are set out in the Bill and supporting HS2 documentation.
- 8 The Parish of Gawcott with Lenborough is some two miles from the HS2 line and so is not directly impacted by the Scheduled Works that appear in Schedule 1 of the Bill or the subsequent operation of the HS2 rail line. HS2Ltd has not provided any information to Your Petitioner or consulted the Parish Council despite designating the principal roadway through the Parish as an access for construction vehicles to the IMD Calvert and construction compounds nearby. The use of these access arrangements will result in substantial injurious affection to all residents, communities and businesses through the Parish which Your Petitioner represents and through adjoining parishes. In consequence, Your Petitioner objects to the provisions in the Bill and its supporting documents for the reasons, amongst others, hereinafter appearing.
- 9 Your Petitioner is concerned about the impact that heavy goods vehicle construction traffic and worker commuter traffic will have on the Buckingham-Gawcott-Hillesden Hamlet-Calvert road (C3 route) that has been designated by HS2Ltd (without consultation) as an access

road serving the Infrastructure Maintenance Depot (IMD) at Calvert and the adjacent construction compounds. This is a 'C' classified, winding, rural, narrow road, in places barely two lanes wide and with 'Z' bends and right angle corners. The route passes residential properties and through rural settlements, near a school, past a pre-school, a community hall and a number of business units. Your Petitioner notes that the projected levels of traffic indicated in the Environmental Statement - 650 to 1240 HGVs per day and up to 1240 workers' cars - is far in excess of the carrying capacity of this road. Your Petitioner submits that these levels of traffic will have severe environmental impacts on the local community and hugely diminish the safe and quiet enjoyment of this part of rural North Buckinghamshire for its residents. These impacts are projected by HS2Ltd to continue through the whole construction phase of eight years and will continue thereafter on a lesser scale during the normal operational cycle of the IMD Calvert.

Your Petitioner requests that the Buckingham-Gawcott-Hillesden-Calvert road be not designated as an access road for construction or worker vehicles to the IMD Calvert and the adjoining construction compounds and that such traffic be prohibited from using this road. Your Petitioner requests that HS2Ltd and its contractors be required to move equipment, construction plant, building and excavated materials along the route of the HS2 rail line (from the nearest trunk road) during the construction phase, and also along the rail links provided by both the East West railway line and the Aylesbury spur. Your Petitioner also requests that the possibility of using an extension of the road link currently being constructed between the A41 and the Energy from Waste Incinerator be investigated. These requests and suggestions meet the stated HS2Ltd aim of routing construction traffic from the main trunk road system, not through rural byways.

- 10 Your Petitioner notes that there are incomplete mitigation treatments proposed for the surroundings to the IMD Calvert. In consequence, it is likely that noise emissions will damage the tranquil environment of the immediate and wider rural area. Your Petitioner notes that the hours of construction are to be confined to the normal working day between 08.00 and 18.00, and on Saturday mornings, so that only limited lighting should be needed at night. Your Petitioner further notes that when the IMD is operational, work will continue 24 hours a day and 7 days a week, causing noise and light pollution that will impact on the local communities. It is noted that the lighting is to be

low level intensity, but this will still have an unwelcome effect across the rural area of North Buckinghamshire.

Your Petitioner requests that during the construction phase, there be very limited lighting operating during the night time and that there be no noise generating operations outside the stated working hours. Your Petitioner requests that once HS2 is operational, the IMD will be subject to strict operational limits on working hours, noise generation and lighting. Any essential road traffic movements required 'out of hours' should be kept to an absolute minimum.

Your Petitioner requests that HS2Ltd be required to provide the maximum mitigation to the entire IMD site and agree to stringent operational limits on noise, light emission, heavy good vehicle and commuter traffic generation and restrictions on operational hours. These conditions are a consequence of the choice by HS2Ltd of a rural location for what is an urban-based engineering/industrial operation.

- 11 Your Petitioner is concerned about the impact on local communities of the amount of waste to be excavated and removed consequent upon the construction of HS2.

Your Petitioner requests that HS2Ltd be required to comply with the requirements of the Waste Framework Directive and review its decisions on treatment of waste to ensure compliance with the waste hierarchy as detailed in that Directive. Furthermore, waste generated locally should be deposited at the Calvert landfill site and not deposited on adjacent farmland further despoiling the landscape of the area.

- 12 Your Petitioner is concerned that the Code of Construction Practice does not identify how the lead contractors will be made to comply and the redress and appropriate action in the event that the contractors do not comply with the Code. Performance assessment in the environmental statement is made on the assumption that the Code of Construction Practice will be fully effective. However, the Code of Construction Practice has no legal status.

Your Petitioner submits that the Code of Construction Practice should be incorporated into the Bill. Any monitoring required under the Code of Construction Practice should involve the relevant local authority as

well as independent experts with effective oversight and redress arrangements in the event of non-compliance.

Your Petitioner further submits that the standard set out in the environmental statement and the Code of Construction Practice is one of "reasonableness" and "reasonable endeavours". Your Petitioner requests that this should be replaced by a higher standard, for example, "best practicable means" and the performance metrics should be agreed with the relevant local authority. The measures should be subject to independent assessment verifiable and challengeable. This applies to noise and construction traffic as well as other effects that are to be addressed in the Code of Construction Practice.

- 13 For the foregoing and connected reasons Your Petitioner respectfully submits that, unless clauses of the Bill are removed or amended, the Bill should not be allowed to pass into law.
- 14 There are other clauses and provisions in the Bill which, if passed into law as they now stand will prejudicially affect Your Petitioner's residents and their rights, (including their human rights) interests and property and for which no adequate provision is made to protect Your Petitioner's residents and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

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 such of the clauses and provisions of the Bill as affect the property, rights and interests of your Petitioner 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,  
Alan D White, Chairman, Gawcott with Lenborough Parish Council

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION [2013-14][2014-15] (as before)

HIGH SPEED RAIL  
(LONDON-WEST MIDLANDS)  
BILL

PETITION OF:  
Gawcott with Lenborough Parish Council,  
BUCKINGHAMSHIRE

AGAINST, By Counsel, &c.

Alexander  
Lex