

**IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013–14**

**HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL
PETITION**

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 ALLAN FORBES WHITTOW

SHEWETH as follows:-

1. A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House entitled “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 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 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 has lived at Concord, Kings Ash, Great Missenden HP16 9NP in the county of Buckinghamshire, for twenty-seven years. Concord is a small country house suitable for outdoor pursuits set in over two hectares purchased at a premium price on the assurance of its national protection as Green Belt and Area of Outstanding Natural Beauty. This classification is largely due to the special longterm care of the landscape heritage by local owner residents, and duly recognised by Buckinghamshire County Council's investment in bridleways and footpaths of national importance, including the Ridgeway and Ridgeway Link, of which the latter runs through your Petitioner's property, and which your Petitioner uses at least a hundred times a year. 750 metres from your Petitioner's house the Ridgeway crosses a magnificent 550 metre mature beech avenue planted at Boswells by Sir Thomas Barlow, physician to King Edward VII, which the scheme proposed by the current Bill would cross at high level, destroying the work of a family which over a century were major benefactors of Wendover (donating land) and the Society for the Protection of Ancient Buildings. Adjacent to your Petitioner's property is the estate of Rocketeer where West End actress Margaret Rawlings lived for over half a century, and in her time undertook much planting including several hectares of mixed native woodland which she designated as Berks, Bucks and Oxon Wildlife Trust nature reserve, with no lowflying aircraft or hot air balloons permitted to disturb it. Your Petitioner in his quarter century has also made modest efforts to enhance the landscape by planting, maintenance and the provision, on grounds of appearance and quietness, of quality wood kissing gate in place of the metal gates otherwise proposed on the public footpath. All such heritage landscape protection and enhancement that justify AONB status would be most unlikely to continue if the environment were blighted by the noise and visual intrusion of the line as currently proposed in the Bill.

Members are respectfully reminded of the Prime Minister's commitment that his Government would be the 'greenest government ever. Your Petitioner's property would not have to be demolished as a result of the Bill, but is located 630 metres from the line, with the house just 770 metres from the line, and it would be necessary to cross the line twice to reach the nearest local shopping, medical and emergency facilities in Wendover. Furthermore, local footpaths and bridleways would be diverted or severed, including three in the short stretch between Leather Lane and Chesham Lane (a.k.a. Rocky Lane)

8. Your Petitioner and his rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons, hereinafter appearing. Your petitioner will look to the promoters for compensation for all injuries should the Bill pass in its present form.
9. The Bill includes powers for the Secretary of State and Nominated Undertaker to undertake construction works which it is estimated could take eight or ten years, and create construction traffic, damage to the rural environment including noise, dust and degradation, obstruction of your Petitioner's and his wife's and their suppliers' and social companions' movements and interests. This would have a significant adverse impact on the life, happiness and therefore probably health of your Petitioner.
10. Following the construction authorised by the Bill the operation of the line would continue indefinitely to have an adverse impact on the quiet enjoyment of the property, significantly reducing its rural desirability and therefore price. On noise intrusion HS2 Limited have surely long forfeited all integrity and credibility, eg by display material at their first Wendover Roadshow purporting to liken the noise of High Speed trains to a hairdryer, and continuing to show only an average noise level, which is appropriate for the hum of tyres on tarmac of continuous traffic on a major road, but not for the metal on metal of spaced trains, both catenaries and wheels, which in the absence of steering control the direction especially on bends solely by the screeching lateral friction of flanges : at speed it is likely the noise will be conversation stopping for a mile, and trains would be within a mile of your Petitioner's house for under 30 seconds, or a total of up to twelve minutes in every hour, which means that an average will understate peak noise by a factor of five, or up to ten if trains meet in this area.
11. Since your Petitioner and his wife are now over the age of seventy, they will have a need to sell and move before the line is in operation, and already incur a level of anxiety over and above what might be normally anticipated at this stage.
12. Despite the undertaking of a previous Minister of Transport, Mr Secretary Hammond's undertaking that all those affected would be compensated in full, the Bill provides for levels of compensation that effectively exclude the vast majority of people whose lives and properties would be adversely affected, especially those like

your Petitioner who live or own property not within the 120 metre zone, but well within the noise, disruption and landscape destruction range.

13. Your Petitioner has good reason under justice and the undertakings of the government to be the greenest ever and to provide fair compensation to object to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submit that the Bill should be amended or additional undertakings required so that the Secretary of State, HS2 Limited and or the Nominated Undertaker review the construction plans, implementation and related works to avoid or compensate their combined adverse impact on communities and individuals. The minimum amendments to reverse this adverse impact include the following ;
14. To mitigate the damage and disruption caused by construction, implementation of the construction programme should be made subject to oversight and approval by the local authority Environmental Health officers, to control hours and days of construction work, use of minor roads, and hours for use of major roads.
15. To reduce adverse impact on the environment and reduce noise, mixed woodland should be provided for 800 metres either side of the line where it crosses open countryside, this woodland to be managed for as long as the line is in operation. The line, including overhead power lines, should be below ground level wherever possible, and elsewhere options to use spoil to bring adjacent new woodland up to the level of the line the better to mask its visual and noise effect should be offered to local authorities.
16. Compensation for the difference in property values with and without HS2 should be provided wherever such a difference exists. The fact that valuation is not an exact science must not be allowable as an excuse for pretending it is impossible to make any estimate at all. If HS2 Limited's view that the impact will ultimately be negligible is correct, they will wish to meet this obligation by means of a Property Bond which sellers such as your Petitioner will be able to rely on when selling for their essential move to other accommodation. Meanwhile research results available show that in attractive country areas the price erosion at a distance of one kilometre is not less than 25%, which would imply a loss for your Petitioner of in no circumstances less than £150,000, and in all probability even £500,000 or more.
17. Your Petitioners humbly note that much of their requirement in Paragraph 14, and almost all of Paragraphs 15 and 16 could alternatively be met by a fully-bored tunnel across the Chilterns AONB, extending to the north of Wendover, such as the proposal known as the CRAG T2 Tunnel. (This has been estimated to save £500-750M of environmental damage at an additional construction cost of £250-330M, and would therefore both improve the environmental and business aspects of the project.) Your petitioner is aware of another fully-bored tunnel suggestion on a very slightly

different alignment known as the Chiltern District Council (CDC) Green Route, which would also meet your Petitioner's requests and which on further examination may be shown to be preferable in terms of cost and/or operational considerations

18. 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.
19. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and his rights, interests and property and for which no adequate provision is made to protect your Petitioner.

YOUR PETITIONER therefore humbly prays 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 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 Petitioner will ever pray, &c.

Signed by your Petitioner ALLAN FORBES WHITTOW

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Allan Forbes WHITTOW

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