

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

Against

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION of DAVID and SARA ROBERTS; ROBERT ANDERSON QC and SYNNOVE NAESHEIM; MARY, VERITY and MYLO PORTAS and MELANIE RICKEY; CAROL DOUGHTY; and, NICK and ANNABEL CRANE

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 provision for a railway line 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 & 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 bill designates Berkley Road, NW1 as "Land potentially required during construction."
- 4 Your Petitioners are owners of the freehold properties situate at 1, 2, 3 and 7 Berkley Road and 174 Regent's Park Road NW1 which the Bill may directly and specially affect.
- 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 The bill is unclear as to what is planned for Berkley Road and the extent to which life as a resident of it will be disrupted and for how long. This uncertainty will affect the value of our properties and their saleability. The definition of "Land potentially required during

construction" is unclear as to the extent of works needed, their nature or duration. The definition included in the Bill is as follows: "Boundary defining the maximum possible extent of construction works required to build HS2 as far as the current level of design allows. This only covers surface works and includes all tunnel portals, vent shafts and headhouses, but does not apply to wholly tunnelled sections or to air rights. It also encompasses associated highway access, drainage and utility works". We have been told verbally by HS2 staff that Berkley Road will only be required for access to utilities and that this will involve disruption for a matter of a few months in the initial phase of construction.

We humbly suggest that in order to remove the uncertainty imposed on our properties, and our peaceable enjoyment thereof, by the wording in the bill, the definition be amended to read as follows: "In the case of Berkley Road, NW1 "Land potentially required for construction" means and extends only to access to utilities located under the road for a maximum of six months during the first phase of construction (i.e. prior to 31 December 2018)".

7 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, Sheet No.1-06, No.361 which identifies Berkley Road for planned operations so far affecting your Petitioners, should not be allowed to pass into law.

8 Your Petitioners Mary, Verity and Milo Portas and Melanie Rickey in 174 Regent's Park Road have been served notice ("Notice") specifying in Schedule A the proposed acquisition of permanent rights in those Petitioners' Property and, in Schedule F, the right of the Secretary of State to take temporary possession of the land. Schedule 15 of the Bill contains provisions about temporary possession and use of land in connection with the works authorised by the Act.

9 The Petitioners claim compensation for injurious affection as a result of the diminution of the value of the Petitioners' Property as a result of the proposed works and, in the case of the petitioners Mary, Verity and Milo Portas and Melanie Rickey in 174 Regent's Park Road, the acquisition of temporary and permanent rights in the Petitioners' Property. The rights, interests and property of all the petitioners are injuriously affected by the Bill.

10 There are other clauses and provisions in the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners' interests and property and for which no adequate provision is made to protect your Petitioners. In particular: Your Petitioners have several

concerns about the proposals for the Adelaide Road ventilation shaft. The proposed location of the shaft is adjacent to Adelaide Road, a vital thoroughfare providing access between Swiss Cottage and Camden Town (where Your Petitioners' several properties are situated).

The construction and operation of the Adelaide Road shaft will cause major disruption to residents, businesses and visitors to the locale in terms of noise, access and other construction issues and it will have a significant adverse impact on the adjoining local nature reserve. According to the Environmental Statement which was deposited with the Bill ("the ES"), the construction period will be longer than five years, in two phases, with significant noise and visual effects lasting one year and three months. The main construction compound is estimated to generate typically more than one hundred daily two way vehicle movements.

The ES suggests that Adelaide Road will need to be closed fully for a period of approximately four months during construction of the shaft, during which all traffic, including buses, and presumably local residents including those who live on Adelaide Road itself, will be diverted along England's Lane and Haverstock Hill, causing considerable concern to your Petitioners that it will disrupt their normal lives and adversely affect the value of their property. This closure and diversion will cause great inconvenience and will result in severe congestion in the surrounding area, including Berkley Road. Your Petitioners are not convinced that the Promoters have considered every alternative properly and request your Honourable House to require an alternative traffic solution to be put in place.

Furthermore, the Bill would authorise a link from HS2 to the Channel Tunnel Rail Link (HS1), to which your Petitioners object in the strongest terms. The link is unjustified, there is no evidence to support it and it has no credible business case. Its adverse impacts on Camden heritage, communities and businesses and on London Overground services would be significant and adversely affect your Petitioners as property owners and residents.

Your Petitioners are pleased to note the instruction that your Honourable House has given to the Select Committee, saying that it shall not hear any petition that relates to the HS1 link, and welcomes this recognition by the government that the link is flawed. Your Petitioners reserve their right to appear on their petition on this subject, should arguments be made in favour of the link.

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 Petitioners in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

^

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013/14

HIGH SPEED RAIL (LONDON-WEST MIDLANDS) BILL

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF:

David & Sara Roberts

Nick & Annabel Crane

Mary, Verity, Mylo Portas & Melanie Riskey

Carol Dougherty

Robert Anderson & Synnove Naesheim

AGAINST