

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against the Bill – 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 THE LICHFIELD & HATHERTON CANALS RESTORATION
TRUST.

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 are specified in Schedule 1 of the Bill and are shown on the deposited plans and sections.
- 4 Your Petitioners are a registered charity, founded in 1988, with approximately 1,700 members. They are restoring to navigation two 7-mile lengths of closed canal with the associated foot and cycle paths usually known as towpaths available for use by the public, thus providing many benefits to the community. The section affected by the bill is that part which is close to Cappers Lane in Whittington Parish of the Lichfield Canal, formerly known as the Ogle Locks section of the Wyrley & Essington Canal, which runs from Huddlesford Junction near Cappers Lane to Ogle Junction in Brownhills. The section of this canal north of Cappers Lane is at present owned by the Canal & River Trust for whom Protective Provisions are provided in Schedule 31 Part 4 of the bill. The section immediately south of Cappers Lane is owned by your petitioners.
- 5 Your Petitioners do not object in principle to the decision to construct the new railway but consider that the built heritage, tranquillity and amenity value of the Lichfield Canal, its access and enjoyment by the public may be injuriously affected to an unnecessary extent at Cappers Lane by certain details of the design and construction of the railway authorised by the Bill, to which your Petitioners object.

Noise

6 The Environmental Statement treats all waterway users as transitory but boats on canals are generally permitted to moor alongside the towpath.

7 On current plans people on boats in proximity to the high speed railway would be subject to excessive noise disturbance except where noise mitigation is being provided. In practice users mooring near the railway for other than very short periods would be deprived of their enjoyment of the waterway.

8 The steel shell of a canal boat has inherently lower sound insulation properties than a building and cannot readily be improved by modifications such as double glazing offered to affected houses. Therefore boats are dependent on external controls of noise transmission.

9 Your Petitioners request that it be a requirement that the best available noise mitigation measures be provided at the crossing of the Lichfield Canal at Cappers Lane and that this be included in the Protective Provisions for the Canal & River Trust at Schedule 31 Part 4.

Design Principles

10 The proposed viaduct crossing of the Lichfield Canal at Cappers Lane will have a major visual impact on their environment. The architectural design and appearance of the structure as seen from below is more apparent to canal and towpath users travelling at slow speed than with most traffic under road bridges. It is important that the viaduct crossing is of simple and elegant architectural design.

11 The photomontage visualisations of the viaduct over the canal at Cappers Lane reveal major visual intrusion.

12 Your Petitioners request that Parliament require that the appearance of this major structure befit such a major project of national significance and expected longevity.

Design Detail

13 In order for the canal to pass without interference, it is essential that the dimensions provided for this purpose beneath the Cappers Lane road bridge when built in 2006 are retained. These are a width through the bridge of 5m, of which some 3m is for the canal itself and 2m for the towpath; "air draft" of 2.5m from the underside of the bridge to water level (at 63.63m AOD), and a further 1.5m below water level, plus 0.6m for the bed of the canal (which will be of clay or other suitable material). Outside the bridge limits a greater width is needed for the canal. The railway is planned to pass on a viaduct over the road bridge without alteration to that bridge. However, the position of the supporting columns for the viaduct need to be clear of the space required for the canal and towpath. This specification and the dimensions stated should in the Trust's view be incorporated in the bill.

Conclusion

- 14 In consideration of the above, your Petitioners reserve the right to raise any further matters of concern related to the above matters and related to any changes or additions to the Bill that may arise from continuing discussions, the preparation and publication of reports, any revisions that may be made to current plans or any other matters relevant to our expressed concerns that may occur in due course and prior to our representation before the Select Committee.
- 15 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, then the Bill should not be allowed to pass into law.

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 interests and property 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.

NAME: David Dixon

Authorised officer for the Lichfield & Hatherton Canals Restoration Trust

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