

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 DR PAUL AND MRS KATHERINA HARLOW

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 Petitioners Dr Paul and Mrs KAE Harlow are residents and custodians of a Gd II* listed property "of International Significance" located in the Market Town of Amersham 800m from the proposed tunnel.
Our cul de sac, residential road is in close proximity to and leads off a road (A 416) that after a short distance feeds into the A413 both will be adversely impacted by traffic congestion created by construction traffic during the construction phase of the scheme. We are particularly concerned about delays in emergency services access and logistics of same (ambulance, police and fire-services).
Dr Harlow has chronic health problems that have and in the future may require prompt emergency treatment and the increased congestion that is predicted and likely may adversely effect his ability and others in his position to receive timely emergency care and increase time it will take to convey him to an A+E department.
8. 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.

9. The Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to take 10 years to complete and will include lorry movements, the creation of dust and noise, poor air quality, and 24 hour working.

Although there is a Chiltern tunnel proposed in mitigation for Amersham HS2 has already adversely affected property's desirability. This may impact on the long-term viability and preservation of listed properties such as these (given the legal necessity and costs of maintenance in proportion to value). Historically this aspect is well correlated in areas that have suffered from infrastructure or other development that alter an areas perceived desirability. We suspect other listed properties will face the same issues along the route. That change is already apparent may be a reflection of public awareness that the disruption due to construction and change of ambience of the area and AONB that HS2 will cause.

Amersham was "the gateway to the Chilterns" and will have its rural, environmental and Chilterns setting severely impacted both by construction and because of the lack of commitment to full length bored Chilterns tunnel by HS2 ltd. The planned tunnel ends at Mantles Wood a beautiful ancient wood we know and walk in often along with the surrounding the villages from Hyde Heath to Wendover.

We are highly concerned about the direct damage to the Chilterns AONB where we walk three times daily. We urge the committee to visit the route in person in the Nations interest to see the route through the AONB (rather than relying on a very flawed HS2 ltd ES). The AONB is a widely used resource both by locals, Londoners and Tourists. It attracts greater numbers of tourists than the Lake District. Route 3 is ill considered and environmentally the most destructive of the proposed routes. If HS2 followed the 'Kent rules' as were formulated with HS1 it would followed the M1 or M40 corridor; there would have been significantly less damage and de novo impact on the environment in general and the AONB in particular.

The rationale for the choice of Route 3 is far from transparent. It was not the preferred route of the advising engineers who were responsible for HS1. HS2 ltd cited the cost of tunnelling to mitigate population centres (3 Bn) and increased journey time. Since that decision much more tunnelling has been introduced for commercial (Birmingham) and environmental/social mitigation (Ealing) or topographical issues ('Chilterns' tunnel) The speed is already reduced because ultra high speed is unsustainable in terms of current power provision (environmental committee).

Despite the above factors, it is a paradox that the route has not been reconsidered, just the complexity of the 'fixes' for the poor original decision to proceed along route 3. The only mitigation for the AONB if the current route must be held is a full bore tunnels throughout the AONB.

Our other pressing concern is the impact of construction on traffic and the access by emergency services.

The local A+E provision is already poor and has been severely impacted by A+E closures. Ambulance availability and the need to travel to Slough or Stoke Mandeville for emergency treatment is already compromising health care and provision for the population around Amersham. It is likely that death/ morbidity rates are already increasing because of this.

Our concern is the impact of traffic congestion on the access and time travel for emergency services (Ambulance, police, fire services) in this essentially semi-rural and rural population. There has been no adequate monitoring or reportage to Parliament about this serious matter. I will illustrate with an incident. I have conditions that require a prompt ambulance service. Last year I sustained a PVD with haemorrhage. I required emergency transport to a hospital to check my retina and intra-ocular bleeding. I called a 999 ambulance and was told 'it was dispatched', an hour later it had not arrived. When we phoned, the service stated that there were not enough ambulances available because of accidents and traffic congestion delaying cleared ambulance returns. We were also told it could be hours before an emergency ambulance could be sent. As I had bled into my eye, driving was impossible so we took a mini-cab. It took 40 minutes with clear roads. In traffic on a follow up visit it took over an hour 10 minutes.

The impact of HS2 construction can only worsen this problem and lead to higher morbidity and mortality. HS2 Ltd's Draft ES and ES do not make adequate assessment or planning provision for this significant social aspect nor seemingly consider it in respect of the H&E aspects of their construction workers.

The solution cannot be 'easy' fantasy fix (helicopters etc) and cannot rely on long road journeys, as the congestion is inherent to the plan and will be widespread. The use of sectors in ES masks the cumulative effects of congestion across the region.

My advice is that the Committee should examine this aspect route wide with the emergency services and locally it may require consideration of temporary re-opening of closed A+E services at Local Hospitals (Amersham and High Wycombe for example) and to make provision where possible for increased air ambulance for acute trauma, cardiac and stroke cases. The cost should be borne by HS2 Ltd or Government and not taken from already stretched NHS budgets.

We deeply worried about living at the above property with the health conditions I have when construction starts given my reliance on the ambulance service and distant hospitals to provide adequate support.

If we have to move to be closer to care to reduce journey time, I am concerned that my property value and saleability has been adversely effected by HS2 and the uncertainties around it.

We would also like to object to Clause 47 of the Bill, which, aims to give the Government unprecedented power to seize land near the line for regeneration and development with

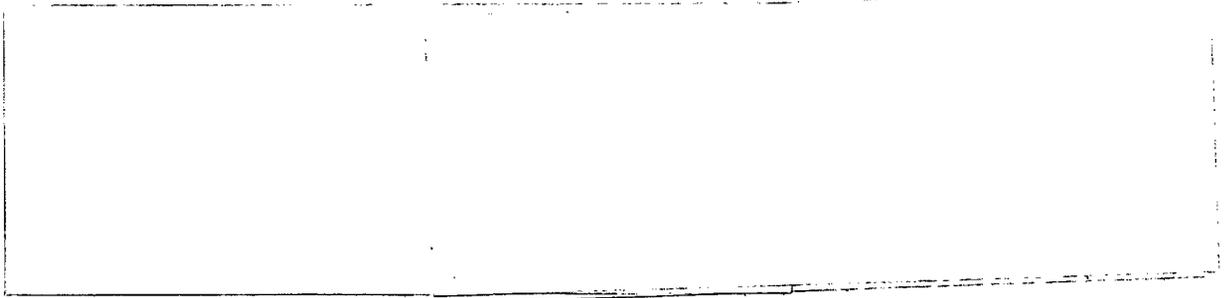
out limits of distance or time. Given the sensitivity and nature of the landscape through which HS2 passes this seems a disproportionate power. It gives credence to the popular notion of a land-grab. I would ask that the Committee consider this clause and its wider ramifications.

10. Your Petitioners 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 undertakings should be required so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works by considering their cumulative impacts on communities. And they need to suggest necessary changes from the results of that review before works design and construction strategies have been finalised or construction contractors employed.
11. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioner(s), should not be allowed to pass into law.
12. 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 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 Petitioner(s) 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(s) in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

Signed

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