

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013 – 2014

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION OF Parochial Council for Helmdon with Stuchbury and Radstone

Against the Bill – on Merits – Praying to be heard by Counsel. &c.

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

THE HUMBLE PETITION of the PAROCHIAL CHURCH COUNCIL FOR HELMDON WITH STUCHBURY and RADSTONE.

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 Owen Paterson, Secretary Edward Davey, and Mr Robert Goodwill.
- 3 Clauses 1 to 36, together with Schedules 1-26 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, together with Schedules 27-28 deal with the regulatory regime for the railway.
- 5 Clauses 43 to 65 of the Bill together with Schedules 29-31 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 is the Parochial Church Council for Helmdon with Stuchbury and Radstone in the Diocese of Peterborough PE1 1YB. The Church also acts as the only community facility for the village of Radstone. The Church is a Grade 1 Listed building which was begun in the 12th century and located within 250 metres of the proposed rail line, separated only by a few mature trees and a meadow. Of all the listed buildings in Great Britain, only 2.5% are Grade 1 and are given the highest level of protection.

- 8 Your Petitioners rights and interests are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.

9. **Noise and visual blight**

Your Petitioner is extremely concerned about the substantial interference from noise, vibration and visual blight the proposed rail line will have on St. Lawrence Church during divine worship.

The forecast increase in sound levels will severely compromise your Petitioners ability to conduct solemn services in the manner to which they are accustomed. This will be exacerbated during the summer months when the Church door remains open during regular services for ventilation purposes.

In addition your Petitioner is very worried about the impact the proposed rail line will have on the structure and stability of the Church bearing in mind its very close proximity to the rail line, its age and lack of traditional foundations.

Your Petitioner is also extremely concerned about the visual impact the rail line will have on St Lawrence Church. The vista at present reflects the purpose of the historical Church being a place of peaceful prayer and divine worship. This will be severely compromised by the proposed plans in that it will no longer be peaceful and serene.

10. Your Petitioner respectfully requests that measures are put in place by the Promoter to reduce the noise, vibration and visual impact on St Lawrence Church. Your Petitioner is respectfully of the opinion that the best option would be to restore the proposed rail line to the original position about half a mile further away from the proposed route, as specified in March 2010. This location would be more rural and would not impact on any other community. Alternatively, either create a green tunnel, or significantly lower the level of the line in front of the Church and village of Radstone. The last two options would solve the issue of noise and blight but not structural stability, which would then require an in depth structural survey.

11. **Ecology**

Your Petitioner is highly concerned about the impact the proposed scheme will have on the colonies of bats.

St Lawrence Church is home to the largest colony of Natterer bats in the county and this is regarded as highly important by renowned bat experts. There is also a colony of Common Pipistrelle bats which live in the Church. Sightings have been made of Brown Long Eared bats and the rare Leisler bat has also been recorded.

Your Petitioner is concerned about the surveys carried out by the Promoter on the Natterer's bats and its conclusion that the proposed mitigation is not likely to reduce bat deaths from collisions with trains. The Environmental Statement concludes that the rail line will result in a permanent adverse effect on the population of Natterer bats at Radstone (Volume 2, p125, 7.6.6).

Your Petitioner respectfully requests that modifications to the proposed scheme are taken to reduce bat fatalities, this could be by restoring the rail line to it's original position, lowering the line, or tunnelling as described in paragraph 10.

12. **Construction period**

Your Petitioner is also concerned that during construction, road disruption along the two access routes into Radstone via the A43 and the Radstone Road will prohibit the congregation and tourists, who frequently visit the Church from the UK and abroad, from having safe and relatively straightforward access to worship at St. Lawrence Church at all times.

Your Petitioner respectfully requests measures are put in place to ensure easy access to the Church remains during the construction period.

Conclusion

13. For the forgoing and connected reasons your Petitioner respectfully submits that, unless those clauses of the Bill referring to the proposed construction of HS2 as it affects St. Lawrence Church are removed or amended, then the Bill should not be allowed to pass into law.

14. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner, their 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.

Signature

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Agent

On behalf of the Parochial Church Council for HELMDON WITH STUCHBURY and RADSTONE.