

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013 – 2014

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION OF Mrs Fiona Berner

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 Mrs Fiona Berner

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 system mentioned in paragraph 1 above. They include provision for the construction and maintenance 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 and 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 Fiona Berner whose address is Gullivers House, Potcote, Towcester, Northamptonshire NN12 8EH. Your Petitioner owns approximately 60 acres on the edge of the village of Turweston, as shown on the attached plan, which is currently run as a livery and equestrian enterprise and includes substantial stabling and buildings.
8. Your Petitioner’s rights, interests and property are injuriously affected by the Bill to which your Petitioner object for reasons amongst others hereinafter appearing.
9. Your Petitioner has listed below her serious concerns regarding the operation of the rail line for reasons relating to noise and visual blight, the loss of valuable agricultural land and injurious affection to her freehold interest.
 - 9.1 **Noise** - Your Petitioner is extremely concerned about the substantial interference from noise and vibration that the rail line will have on your Petitioners equestrian business which may render the property unusable in its current form.
 - 9.2 **Visual Blight** – Your Petitioners are also extremely concerned about the visual impact the rail line will have on their estate. Turweston will experience significant adverse visual (and noise) affects due to the fence barriers, trains, overhead line equipment as well as access road realignment. This will permanently blight the rural character of your Petitioners property and this will, in addition, forever reduce the value of the Petitioners freehold interest and the potential rental appeal of such.
 - 9.3 **The unnecessary loss of agricultural land** – All references to plan numbers relate to those within the Environmental Statement.
 - 9.3.1 With regard to plan number CT-05-065; your Petitioner is losing the most productive field on the property for a temporary material stockpile and satellite compound for what appears to be a materials processing centre. Due to the productive nature of the field, your Petitioner has enquired whether there is an alternative site for the materials to be stored as it is feared that the contamination of the stockpile will affect the future productivity of the field. In addition, your Petitioner’s livery enterprise and equestrian business will suffer considerably due to the land lost to the materials store as the enterprise will have to be scaled down, resulting in loss of income effecting your Petitioner’s livelihood all of which will result in a claim against the Promoters. Your Petitioner has raised this point with the Promoters both through their comments on the Environmental Statement but also in direct correspondence with the Promoter’s as recently as 21st February. Neither of which has resulted in any discussions.
 - 9.3.2 With reference to plan CT-05-062, there is an access road shown running across the south corner of your Petitioners land. Your Petitioner has enquired whether the HS2 access road could follow the line of the new ditch to ensure there is no wasted land between the HS2 access road and the edge of the railway. This proposal would allow your Petitioner to have more land returned post scheme.

9.3.3 Your Petitioner respectfully requests that the material stockpile be moved to a more suitable location and that the green tunnel at Turweston be extended to reduce the visual noise and vibration effect the line will have on their property.

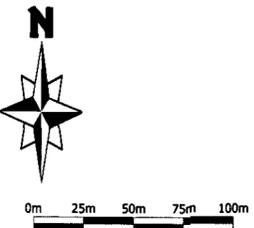
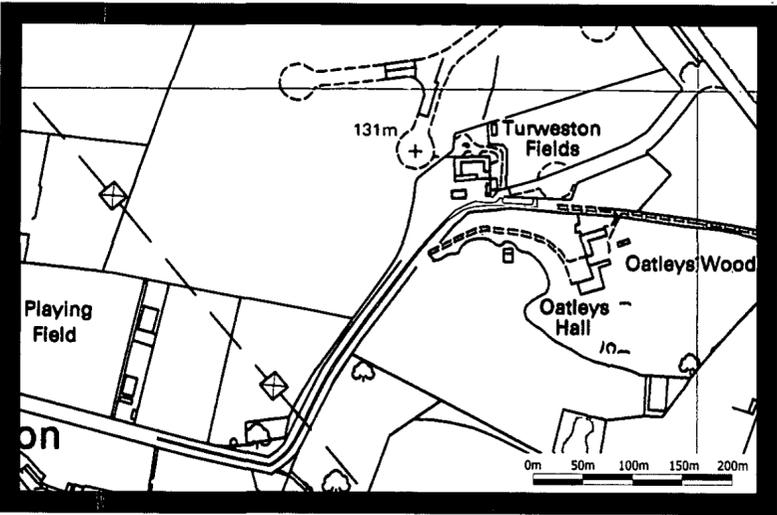
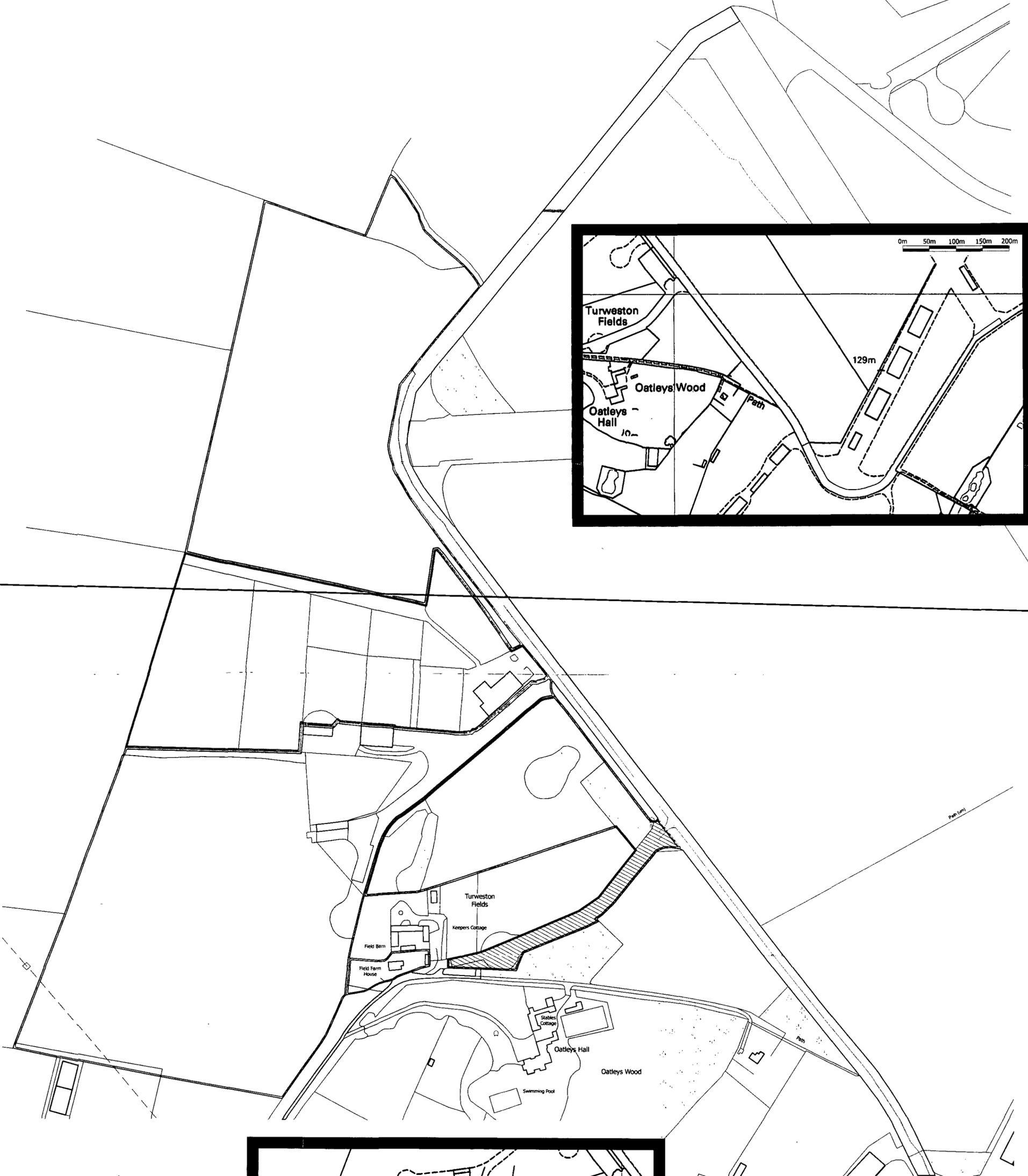
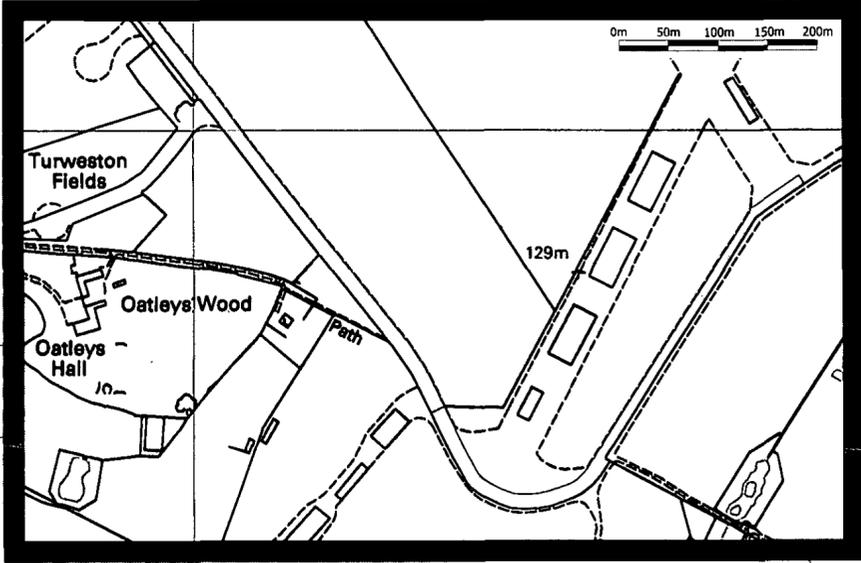
10. For the foregoing and connected reasons your Petitioner respectfully submits that unless those clauses of the Bill referring to the proposed construction of HS2 as it affects Mrs. Fiona Berner are removed or amended then the Bill should not be allowed to pass into law.
11. There are other clauses and provisions of the Bill which if passed into law as they now stand will prejudicially affect your Petitioner and their rights, interests and property for which no adequate provision is made to protect your Petitioners.

YOUR PETITIONER therefore humbly pray your Honourable House that the Bill may not be allowed to pass into law as it now stands and that he 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.

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Agent

24.008 Hectares / 59.32 Acres
 TURWESTON FIELDS, OATLEYS ROAD, TURWESTON, BRACKLEY. NORTHAMPTONSHIRE



Scale - 1 : 2 500
 (Insets - 1 : 5 000)

NOTE - Reproduced from the Ordnance Survey Map with the sanction of the Controller of H.M. Stationery Office. Crown Copyright reserved.

	15.893 Hectares 39.27 Acres
	7.925 Hectares 19.58 Acres
	0.190 Hectares 0.47 Acres

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PLAN NO. DAJ/ 3110-1(i)gn - 19.05.2014

