

IN PARLIAMENT
HOUSE OF
COMMONS
SESSION
2013 - 2014

HIGH SPEED RAIL (LONDON TO WEST MIDLANDS) BILL

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 *Roland Kennett*.

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 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 ("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 **Roland Kennett** (hereinafter referred to as 'the Petitioner'), occupier of **3 Bury Farm Barns, Potter Row, Great Missenden, Bucks HP16 9LU** ('the Property'). The property is about 400 metres from the proposed line and is situated at the entrance to a green tunnel. Your Petitioner have lived in the Property for over 11 years and moved out of London to an AONB as your Petitioner wanted to enjoy the tranquillity and beauty associated with the Chiltern Hills. The property has been for sale since 2010 but there have been no offers not even derisory ones. Your Petitioner had wanted to move for professional reasons but missed out on excellent job opportunities because your Petitioner was unable to move house. The property represents the vast majority of your Petitioner's savings which were going to be used to finance my retirement when the time came. With the loss of value of the Property ensuing from the uncertainty around HS2, your Petitioner has both lost the ability to move house, a basic right as I am sure all members of the House agree, without a substantial loss and the decimation of my pension.

8. **Compensation**

8.1 As a result of the planned construction and operation of HS2 the Property is blighted. Your Petitioner notes that there is not and never has been any help or compensation whatsoever offered by HS2 or the Government to him to address this blight.

8.2 Your Petitioner submits that the compensation provisions in relation to property that is not compulsory acquired and other matters are not sufficient to compensate your Petitioner adequately for the loss and damage they may incur as a result of construction and operation of the high speed railway and associated development.

8.3 Your Petitioner requests that the Bill should be amended to ensure your Petitioner and other persons outside the safeguarding area who are injuriously affected and adversely affected by loss of value should be entitled to claim adequate compensation or that a mechanism be introduced to the Bill that forces HS2 to purchase blighted properties at "unblighted" prices. This scheme.

8.4 Your petitioner suggests that having a standardised and demonstrably fair method for compensating those injuriously affected by any infrastructure project (not just this one) would greatly ease any consultation process and ensure that the focus of debate was purely on the merits of the scheme itself.

9. **Green Tunnel Extension**

9.1 Your Petitioner is concerned about the green tunnel that skirts South Heath. This tunnel is not long enough to mitigate the noise impact on your Petitioner's property as it ends in line with the Property. The noise of trains entering and exiting tunnels at high speed will be particularly intrusive at the Property

9.2 Your Petitioner requests that the green tunnel should be extended from where it ends outside of South Heath to the far side of The Lee.

10. Local Roads

- 10.1 Your Petitioner is concerned that the construction of the high speed railway and associated development at South Heath and Potter Row and on the wider area will impact significantly upon the quiet enjoyment of the Property and the neighbourhood by way of noise, disturbance, visual intrusion and traffic increases.
- 10.2 Your Petitioner notes that HS2 is being driven through rural England and as a result there is no infrastructure to support large vehicles delivering equipment and supplies, and removal of spoil during the construction works as well as use of highways by other vehicles.
- 10.3 Your Petitioner is concerned about the risk to public safety posed by the large, heavy lorries and articulated vehicles, especially in light of the fact that the roads are not designed for them. Your Petitioner is also concerned about the access leaving and entering the construction site(s).
- 10.4 The use and routing of large vehicles within the vicinity of the Property is also a matter of concern to your Petitioner Your Petitioner requests that hours for the movement of construction traffic are limited to 08:00 to 17:00 Monday to Friday, and there are limits on the number of vehicle movements, limits on the size of vehicles, and other miscellaneous related matters.
- 10.5 Your Petitioner requests that large vehicles as well as other construction traffic must be strictly controlled, having regard to the particular sensitivities of the area. Your Petitioner therefore requests that the nominated undertaker should be subject to binding mitigation measures in relation to the control of all construction traffic, assessment of suitability of roads for construction traffic, routing of lorries and other vehicles in accordance with a list of routes to be agreed with the nominated undertaker and your Petitioner.
- 10.6 Your Petitioner requests that binding mitigation measures should include traffic management plans to be agreed between the nominated undertaker, the relevant local authority and the relevant highway authority to be monitored and enforced by environmental health officers
- 10.7 Your Petitioner urges that you require that the undertaker ensures adequate access is maintained from the Property and other properties affected to local amenities and that those affected do not have to travel further than the currently do to shop

11. Noise

- 11.1 Your petitioner has concerns with regards to matters of noise and vibration caused by the construction and operation of the high speed railway. Your petitioner is concerned as there appears to be no mechanism in the Bill to deliver a properly noise mitigated railway.
- 11.2 Your petitioner is concerned that the thresholds adopted in the Environmental Statement for noise limits were set above what the World Health Organisation considers acceptable. Your petitioner considers this issue is likely to become more pressing given the moves by the World Health Organisation to set new lower targets on the basis of the latest medical research on the impact of noise on human health.

- 11.3. Your petitioner is concerned that the specific impacts of ground-borne noise have not been properly considered or explained to impacted communities and the limit for ground-borne noise does not reflect recent or practice or experience and the methodology used for predicting the impact of ground-borne noise is insufficiently robust and no amelioration measures have been suggested to deal with this problem.
- 11.4 Your petitioner therefore requests
- 11.4.1 HS2 Ltd be required to set noise limits for construction which are in line with World Health Organisation limits and local authorities be provided with enforcement powers to order the cessation of construction activities in the event such anticipated exposures are breached.
- 11.4.2 HS2 Ltd be obliged to commit to designing the high speed railway to operate in such manner that the revised noise exposures are not breached.
- 11.4.3 A binding requirement included in the Bill for noise monitoring with obligations on HS2 Ltd to introduce additional mitigation measures, including reduction in train speeds, in the event forecast noise levels are exceeded.
- 11.4.4 HS2 Ltd be required to commit to the same threshold for ground borne noise as the Northern Line Extension or Crossrail.

12. Freight

- 12.1 Your petitioner is afraid that once the new track has been laid it will be used for freight purposes at all times of the day and night which will have significant noise pollution impacts for those living near the line
- 12.2 Your petitioner requests that you add a clause to the bill forbidding the use of freight trains on the new line

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 they may be heard by their Counsel, Agents and witnesses in support of the allegations of this Petition against such of the clauses and provisions of the Bill as affect 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 Petitioners will ever pray, &c

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SIGNED

