

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 **Dr Quentin Lloyd-Harris**

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 *Dr Quentin Lionel Genghis Lloyd-Harris* (hereinafter referred to as ‘the Petitioner’), *the owner of 21 Belsize Square, London NW3 4HT* (‘the Property’).

8. **Englands Lane**

8.1 Your Petitioner has concerns that Englands Lane NW3 has been proposed as one of the construction traffic routes. This is a narrow residential and shopping street that is already fairly congested. Two of the restaurants/cafés on Englands Lane have outside seating on the pavement during good weather. The butchers’ shop draws customers from a wide area, and there is nearly always a queue of people out into the street. There is a popular children’s toy shop, and in general there are many children and babies on this street because of the residential nature of Belsize Park. *This vibrancy and viability of Englands Lane would be destroyed if a larger number of trucks were to go along it each day.* Your Petitioner is not sure how many trucks would be involved, but one available estimate suggests it would be approximately 150 dirt laden trucks a day.

8.2 Your Petitioner therefore requests that an alternative route be found that avoids Englands Lane. One such route might be to restrict construction traffic to Adelaide Road and Haverstock Hill, thereby bypassing Englands Lane.

9. **North Bridge House Preparatory School—Traffic**

9.1 Your Petitioner has concerns that North Bridge House Preparatory School, 1 Gloucester Avenue, will be severely impeded by the proposed plans. Although the address is 1 Gloucester Avenue, the main entrance is on Parkway, at a complex intersection between Parkway, Albany St, Prince Albert Rd, Regents Park Road, Delancey St and Oval Road. Many of these roads will be used for construction traffic during Phase 1. Furthermore, there will be a construction site immediately adjacent to the school. Your Petitioner has two daughters, age 7 and 9, who attend the school; and many friends whose children also attend North Bridge House.

9.2 Your Petitioner requests that flow of construction traffic is designed so as not to block access to parents dropping off or picking up children who attend North Bridge House during drop-off and pick-up times during school term time. Your Petitioner requests that HS2 liaise with staff at North Bridge House to optimise these arrangements.

9.3 Your Petitioner further requests that the flow of construction traffic around the school is minimised to the extent possible during normal school hours, to reduce noise, vibration and pollution in the classroom during lessons.

10. **North Bridge House Preparatory School—Noise**

10.1 Your Petitioner has concerns with regards to matters of noise and vibration caused by the construction and operation of the high speed railway, particularly as it affects

North Bridge House (see 9.1). Your Petitioner is concerned because there appears to be insufficient mechanisms in the Bill to adequately mitigate noise.

- 10.2 Your Petitioner is concerned that the fundamental calculations needed for forecasting noise impacts, known as the Lowest Observed Adverse Effect Level (LOAEL) and Significant Observed Adverse Effect Level (SOAEL) have not been correctly identified and were set too high in the Environmental Statement, leading to material underestimation of the adverse noise and significant adverse noise impacts likely to arise from the high speed railway.
- 10.3 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.
- 10.4 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.
- 10.5 Your Petitioner therefore requests:
 - 10.5.1 That HS2 Ltd be instructed to issue revised noise thresholds covering the LOAEL and SOAEL for noise exposure, in rural and urban areas and during the day and at night-time which reflect World Health Organisation guidelines including World Health Organisation guidelines on peak noise (60db max pass-by outside, giving 45db inside).
 - 10.5.2 That 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.
 - 10.5.3 That 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.
 - 10.5.4 That 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.
 - 10.5.5 That HS2 Ltd be required to commit to the same threshold for ground borne noise as the Northern Line Extension- meaning ground borne noise levels no greater than 25dB LpAsmax for rural areas and 30dB LpAsmax for urban areas.
- 10.6 Your Petitioner is concerned that Clause 35 of the Bill and Schedule 25 provide that appeals against notices or against failure to give consent or the giving of qualified consent under the Control of Pollution Act 1974, section 60 (control of noise) and section 61 (prior consent for work on construction sites) may be referred to the Secretary of State or arbitration. Your Petitioner is also concerned that Schedule 25 would provide a defence to statutory nuisance for the nominated undertaker.

10.7 Your Petitioner requests that Clause 35 and schedule 25 are deleted from the Bill.

11. North Bridge House Preparatory School—Air Pollution

11.1 Your Petitioner has concerns with regards to poor air quality caused by the construction and operation of the high speed railway, particularly as it affects North Bridge House (see 9.1). Your Petitioner is concerned because there appears to be insufficient provision in the Bill to adequately control air quality.

11.2 Your Petitioner requests that before construction there should be an air quality baseline monitoring study benchmarked against the Air Quality Standards Regulations 2010 and a copy of this report should be made public. Your Petitioner submits that thresholds for air quality and an air quality mitigation plan should be produced for each Community Forum Area, to apply both during construction and operation of HS2.

11.3 Your Petitioner requests that the local authority, which in the case of North Bridge House is Camden Council, should be provided with powers to monitor air quality in accordance with binding mitigation plans and in the event air quality thresholds are breached, your Petitioner submits that the Bill should be amended to enable the Camden Council and other local authorities to require the cessation of construction activities until such point as air quality thresholds are complied with.

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.

[Faint, illegible text]

DR. Q. L. G. LLOYD-HARRIS

IN PARLIAMENT
HOUSE OF
COMMONS
SESSION
2013-2014

HIGH SPEED RAIL (LONDON TO WEST MIDLANDS BILL)

PETITION OF *Dr Quentin Lloyd-Harris*

AGAINST, By counsel, &c

Dr	Lloyd-Harris
21	
10	
To	
10	
Tel	
Tel	