

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – [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 Colin Stuart Elliff and Quentin John Angus Macdonald

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.
- 3 Objection is made to the entire bill, and to the definition of its ‘Principles’ as set out in the Draft Directions to the HS2 Hybrid Bill Committee. It must be stressed that these objections are not against the principle of a high speed line from London to the West Midlands, but instead to the detail of the route (as effectively defined by intermediate and destination stations listed as comprising the bill’s ‘Principles’) which then predetermines the configuration of further phases of UK high speed rail development.

It is acknowledged that these objections go beyond the normal scope of petitioning against a Hybrid Bill, but your Petitioners’ reasons for so objecting are set out in greater detail in Item 6.

- 4 Your Petitioners are:

Colin Elliff BSc CEng MICE of  
20 Hartley Road, Harrogate, North Yorkshire

and

Quentin Macdonald BSc (Eng) CEng MIET FIRSE of  
Manor Farm, Church Lane, Nether Poppleton, York.

Your Petitioners are experienced railway engineers who have considerable experience in the development of UK high speed rail schemes. Your Petitioners have submitted responses to the various Government Consultations on HS2, as follows:

- July 2011 HS2 Phase 1 (London-West Midlands)
- July 2013 HS2 Phase 1 (Draft Environmental Statement)
- January 2014 HS2 Phase 2 (West Midlands-Manchester/Leeds)

Due to conflict of interest issues pertaining to his then railway industry employment, consultation responses prepared in 2011 & 2013 on behalf of your Petitioner Colin Elliff were submitted under the alias of 'Christopher Quayle'.

These Consultation responses consistently set out the advantages of an alternative suite of high speed rail proposals (namely High Speed North, and latterly retitled High Speed UK), developed to radically different principles of full integration, and adherence to existing transport corridors. These responses also set out HS2's many deficiencies. Taken overall, those studying the consultation responses should have been left in no doubt that an alternative to HS2 was available, that:

- Satisfied all the key requirements for HS2;
- Was considerably cheaper to build;
- Performed considerably better than HS2 on a huge range of criteria, including connectivity, capacity and reduced transport CO<sub>2</sub> emissions.

Despite raising these issues:

- Your Petitioners have never received any counter-rationale that might allay their concerns.
- No attempt was made by the Government or their advisors (at DfT or HS2 Ltd) to engage with your Petitioners in the investigation of these concerns.
- No change has been made to the HS2 proposals in respect of these concerns.
- No information has been provided to Parliament as to the substance of these concerns, so that Parliament might debate these matters.

5 Your Petitioners believe that they are 'directly and specially affected' by the proposals set out in the bill, for the following reasons:

- HS2 fails to achieve significant reductions in transport CO<sub>2</sub> emissions. This is in clear contravention of the spirit (if not the letter) of the 2008 Climate Change Act. This will affect every UK citizen.
- The excessive focus upon London and general lack of connectivity of HS2's proposed 'Y' network is an inevitable direct consequence of the proposals set out in the Bill. This will have an adverse economic effect upon the region in which the Petitioners and their families live, (along with most other UK regions).

- The lack of capacity on HS2's 2-track London to West Midlands section (as covered by the Bill). This is insufficient to allow high speed services to all Midlands, Northern and Scottish destinations currently served by the intercity network, and the result will inevitably be a 2-tier, 2-speed Britain. Again, this will have adverse impacts on the economy of the region in which your Petitioners and their families live.
- The Government's failure to engage with alternative and apparently superior alternatives to HS2. In terms of extra cost and reduced benefit, this will again affect every UK citizen; however, more specifically, the Government's perverse and continued refusal to engage with apparently superior alternatives has had a direct and adverse impact upon the professional standings of your Petitioners.

Your Petitioners would submit that they possess a unique perspective upon and knowledge of the issues surrounding the development of an optimised high speed rail network for the UK. This is entirely in line with Government policy, and it seems vital that the Committee, and the wider Government, engages fully with this knowledge.

6. Objection is made to the detailed provisions of the entire bill, on the grounds that:

- The railway infrastructure detailed therein (and summarised as its 'Principle' in the Draft Directions to the HS2 Hybrid Bill Committee) only comprises the first phase of a planned national high speed 'network'.
- Passing of the current bill (relating to a railway between London and the West Midlands on a specific route) will have the effect of predetermining further legislation concerning the routing, configuration, functionality and performance of any national high speed network.
- The current bill is predicated upon false and unverified assumptions, together with a variety of failures in due process. These have resulted in proposals that are hugely sub-optimal and as such will fail to best serve the public interest. These issues are described in Item 7. Your Petitioners' attempts to draw these issues to the attention of the Government through the Consultation process have been constantly frustrated, as noted in Item 4.

Your Petitioners believe that the disjointed and deficient approach described above will prevent Parliament from applying the timely and holistic consideration necessary to ensure that high speed rail can be developed in a manner best serving the public interest.

The public interest might best be defined by the following public policy requirements:

- Reduction of CO<sub>2</sub> emissions in line with existing Parliamentary legislation (the 2008 Climate Change Act);
- Minimising public expenditure;
- Ensuring balanced regional development;
- Protection of local communities and rural environments;
- Integration of transport systems to maximise journey opportunities and economic benefit, and encourage modal shift from road to rail.

Your Petitioners therefore recommend that the 'Principle' of the Bill, as set out in the Draft Directions:

*the provision of a high speed 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 intermediate stations at Old Oak Common and Birmingham Interchange,*

must be amended so that the HS2 Hybrid Bill Committee can undertake the necessary examinations to ensure that the vital considerations of national interest set out above are not compromised.

Your Petitioners recommend that the following issues of principle are considered:

- The question of whether the new line should be integrated with and frequently connected to the existing railway network; or whether it should be segregated from the existing network (as with HS2).
- The maximum speed for which the line should be designed, consistent with the requirement to follow existing transport corridors where environmental damage is minimised and connectivity is maximised.
- The provision of sufficient capacity on the high speed line to enable all major 'stakeholder' communities served by the existing intercity network to be served by the new high speed line.
- The optimum routeing of the high speed line to allow all 'stakeholder' communities to be served.
- The optimum routeing of the high speed line to allow (with further sections also built) the formation of an optimised national network in which all major regional communities are efficiently interlinked for minimised length of new build (and therefore cost).
- The optimum means of interchange with local public transport networks.
- The development of an optimised strategy for integrated national rail development in which road to rail modal shift is maximised with consequent reductions in transport CO<sub>2</sub> emissions.
- Noting the fact that the HS2-HS1 link has been deleted from the HS2 bill primarily on account of being difficult, costly and 'suboptimal', whether this desirable link might be more easily achieved with a differently-aligned approach of the high speed line to central London.

Your Petitioners observe that these eminently sensible considerations appear to have been largely disregarded in the development so far of HS2.

Additionally, your Petitioners observe that the 'Principle' of the bill, as set out in the Draft Directions, does not accurately summarise the content of the Parliamentary debate that took place on 28<sup>th</sup>/29<sup>th</sup> April. This mostly concerned the issue of whether a high speed rail line from London to the West Midlands should be built to serve the national interest. There was little or no debate as to whether the precise proposals, as set out in the Bill and defined in the 'Principles', were the proposals that would best serve the public interest as the first phase of a national network.

7 Your Petitioners object to the bill on account of the following primary concerns. However, this list is not exhaustive, and space does not permit the listing of all concerns at this specific juncture:

- **Segregation of HS2 from existing network**

HS2 has been designed to be virtually segregated from the existing rail network. Within the London to West Midlands scope of the bill, this largely limits the connectivity that HS2 can provide to stations on the new build railway, and it hugely restricts the potential economic benefits. Far greater benefits – both economic and environmental – appear to be achievable with integrated operation between the new high speed railway and the existing network. The Government appears never to have seriously considered the alternative of integration, with full and frequent connection between the high speed line and the existing network. The Government has also never demonstrated why their preferred segregated model of operation is the best way forward.

- **Extreme speed assumed in the design of HS2**

HS2 has been designed to be the fastest railway in the world, with 360km/h operation planned and allowance made for future 400km/h operation. This is represented as 'future-proofing'. However, designing for extreme speed has the effect of drawing the line away from existing corridors (where major populations exist that might benefit from the introduction of high speed rail) into unspoilt rural areas where populations are too small to merit the provision of local stations, and there are no other compensatory benefits to mitigate the intrusion. This has the effect of reinforcing HS2's lack of integration. There are also major issues with higher maintenance costs, increased energy use, and higher CO<sub>2</sub> emissions. The Government appears never to have undertaken the necessary 'sensitivity analysis' to establish the optimum operational speed (ie the speed that achieves the best balance of benefits against adverse impacts). Nor has the Government ever demonstrated why a design speed of 400km/h (for operation at 360km/h, potentially rising to 400km/h) represents the best option.

- **Old Oak Common**

The proposed HS2 interchange at Old Oak Common is planned to achieve the twin function of interchange with Heathrow and CrossRail services. However, the requirement (written into the HS2 core remit) that these two separate functions are performed at a single station has the effect of predetermining HS2's route through the Chilterns, and prevents fair consideration of the alternative M1 corridor route. The Government appears never to have considered alternative strategies to building a station at Old Oak Common, for achieving high speed rail access to Heathrow, or interchange with London's local rail network.

- **Selection of HS2 Chiltern Route and Rejection of the M1 Corridor**

The Government's selection of their favoured route through the Chilterns (as described in the bill) is predicated upon rejection of the far less environmentally-damaging alternative of a route following the M1 and M6 motorways. The reasons advanced by the Government for their rejection of the M1 corridor were variously false or spurious. Taken overall they did not represent the necessary balanced consideration of alternative options essential to ensure the outcome best serving the public interest (either for a London to Birmingham high speed line, or for future stages in the development of a national high speed network).

- **2 tracks or 4 tracks??**

HS2's route through the Chilterns is planned to comprise only 2 tracks. This is generally accepted as having the capacity to accommodate 18 trains per hour in each direction. This is insufficient to provide intercity services to all the cities of the Midlands, the North and Scotland served by the existing intercity network, and with many cities bypassed and left reliant on reduced services on the existing network, the result will be a 2-speed, 2-tier Britain. On HS2's chosen route, the necessary 4 tracks do not appear to be achievable, on account of either unacceptable additional intrusion on surface sections, or the doubled cost on tunnelled sections.

- **Selection of the 'Y'**

The 'Y' configuration adopted by HS2 fits naturally with HS2's west-sided route through the Chilterns from London to Birmingham, and further aspirations for development towards Yorkshire and the North-West. But with no Trans-Pennine high speed route offered, the 'Y' essentially comprises a conduit focussed upon London, and seems most likely to have the effect of concentrating economic activity in the South-East of England, and of exacerbating the North-South Divide. The 'Y' is also inherently inefficient, in that it requires the operation of many trains, mostly poorly-filled, to accommodate

all possible journeys between regional cities. The Government has not given serious consideration to alternative, more efficient network formats (such as the 'spine and spur' of High Speed UK) which allow for greater and properly balanced interregional connectivity.

- **Birmingham Curzon Street**

The selection of Birmingham Curzon Street as HS2's terminus in Birmingham appears to have been driven partly by the desire to run supersized trains that are too long and too large in cross-section to fit into New Street Station, and partly by a perception that New Street is already full (which is not the case). But any intercity railway solution that does not achieve interchange with the local and regional services that concentrate at New Street, and does not allow through running, implies a massive loss of connectivity between high speed and local services within the West Midlands conurbation, and across the national intercity network. The Government appears not to have given serious consideration to operating smaller UK-sized trains and undertaking the necessary works to enhance capacity at New Street, in order to maintain the integrity of the local and national rail network.

- **HS2's 'Carbon Neutral' Performance**

Documentation released by the Government in support of the HS2 proposals sets out HS2's predicted 'carbon neutral' performance ie no significant reduction of transport sector CO<sub>2</sub> emissions. It is reasonable to expect that all major Government-led (and taxpayer-funded) interventions should play their part in maximising reductions of national CO<sub>2</sub> emissions. HS2's predicted 'carbon neutral' performance is therefore in clear contravention of the spirit (if not the letter) of the 2008 Climate Change Act. HS2's inadequate performance stems from its failure to achieve significant road to rail modal shift, and this in turn is attributable both to its lack of integration with the existing network, and also its inefficient 'Y' configuration, primarily focussed upon getting to London more quickly.

All these concerns have been raised by your Petitioners in their many responses to the Government's HS2 Consultations. Regrettably, the Government has failed to take necessary account of these concerns, and has failed to bring these concerns before Parliament for their consideration. As such, the process underpinning HS2 appears to be deficient.

Concerns relating to HS2's excessive environmental impact (ie its unnecessary Chiltern routeing and its inadequate 'carbon neutral' performance) were raised in your Petitioners' response to the Consultation on HS2's Draft Environmental Impact Statement (July 2013). In that Government has a duty (under the Town & Country Planning Act) to ensure

the best possible balance between a scheme's benefits and its environmental impacts, the Chiltern-aligned segregated HS2 was shown to be clearly suboptimal with respect to an M1-aligned integrated alternative; and as such, it would appear to be illegal.

It should be noted that all these adverse issues are avoided with the alternative 'High Speed UK' proposals developed by your Petitioners.

- 8 For the foregoing and connected reasons your Petitioners respectfully submit that the bill must be radically amended so that it reflects best practice for integrated transport, and all the other public policy issues described in Item 6, and thus comprises a fit-for-purpose intervention in UK intercity transport compatible with further development of an optimised national high speed rail network. It is however beyond the skills and experience of the Petitioners to suggest the necessary amendments to the bill, and as such, the bill as it stands should not be allowed to pass into law.
- 9 For the foregoing and connected reasons your Petitioners respectfully submit that the Government should conduct a far-reaching Inquiry to establish:
- the reasons why the HS2 proposals have progressed so far towards legislative powers without adequate technical scrutiny;
  - how other apparently superior proposals have been dismissed, without just cause;
  - a more appropriate way forward for integrated high speed intercity transport in the UK.

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 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.

(Colin Eliff)

(Quentin Macdonald)

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PETITION OF COLIN ELLIFF AND QUENTIN MACDONALD

Against the Bill – On 1

Colin Elliff: 7  
Quentin Macdonald: 7