

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013–14

HIGH SPEED RAIL (LONDON – 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 ROGER WARREN

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 71, was born in Kenilworth, and has lived in the Crackley area for most of his life. He is the freehold owner/occupier of 16 Crackley Crescent, Kenilworth, Warwickshire, CV8 2FF ('Your Petitioner's Property'). The property lies within the Zone of Theoretical Visibility as shown in the maps that accompany the Environmental Statement. It is adjacent to the construction site proposed to be used under the Bill. Therefore your petitioner's residential property will be subject to intolerable noise, dust, visual impact, and vibrations during both construction and operation.
- 8 Your Petitioner's rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
- 9 Your petitioner's greatest concern is about environmental damage. The proposed line cuts straight through the narrow but much-valued area of Green Belt which separates Kenilworth from Coventry. This is particularly rich in wild life, especially very varied bird-life, which will depart with the arrival of the noise from HS2. The only real solution to the environmental problem is to re-route this section of track. If the proposed speed were to be reduced,

such re-routing (for example, following existing transport corridors) would presumably be possible. Failing that, placing the line wholly in a deep tunnel with accompanying landscaping might help a little. Also, HS2 proposes to divert Canley(also known as Crackley) Brook. At present, heavy rain results in complete flooding of the adjacent fields, but in the 27 years that your petitioner has lived at the address, the back-up from the flooded fields has not quite reached his property. However, the proposed diversion of the brook to the field behind the property will most certainly have that effect, because of the slope of the land. Perhaps a deep tunnelling for the brook might alleviate the flooding risk. The obvious solution, of course, is to leave the brook, and the Crackley area, as it is, especially since none of the supposed advantages of the line advanced by HS2 Ltd would benefit Kenilworth or the area a a whole.

- 10 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.

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 Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

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