

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013–14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION

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 TREVOR FORRESTER

SHEWETH as follows:-

1. A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House entitled “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 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 are specified in clauses 1 and 2 of and Schedules 1 and 2 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 and Schedules 2 and 3 to the Bill.
 7. Your Petitioner is Trevor Forrester living in Ingestre Staffs ST180PZ and is affected by HS2 living in a small village being 620 metres from the track. I have lived here with my wife for 10 years and am a qualified building Services engineer and consultant aged 69 years. Your Petitioners property will not be demolished as a result of the bill, but our lives will be totally disrupted and my property value has already diminished in value as a result of HS2. Your Petitioner lives on a road which will be used by HS2 for construction traffic, and within 900 metres of a viaduct some 900 metres long which will need a concrete mixing plant to create it sat alongside the construction. Your Petitioner has great concerns that clauses within the Phase 1 Hybrid Bill will if approved create a precedent for phase 2 which is where I live, and humbly request a number of modifications
 8. Your Petitioner and his rights, interests and/or property] are injuriously affected by the Bill, to which your Petitioner object for reasons amongst others, hereinafter appearing.
1. **Junction with West Coast Main Line**
 - 1.1 Your Petitioner considers that, if HS2, Phase 1, should be constructed, the junction with the West Coast Main Line at Handsacre is essential for the town of Stafford and surrounding communities to obtain any benefit from the project. Your Petitioner is content that the Bill provides for the construction of the junction, and that the select committee has been instructed that the principle of the bill includes

those works. Nonetheless, your Petitioner is concerned that the junction could be authorised and then not constructed, or constructed and then not used. Your Petitioner believes that if Staffordshire is to gain any economic benefit from the scheme, the junction must be constructed in order to provide the residents and businesses within the catchment area of Stafford station with direct access to the high speed rail network. Your Petitioner seeks an undertaking that Phase One of HS2 should not be open to public traffic until the junction is constructed and operational and that the junction will remain open to public traffic once Phase Two is completed and open to public traffic.

10 Access to land for surveying

- 10.1 Your Petitioner is concerned that rights of entry and authorisations to enter land for surveying purposes go beyond the rights that are reasonably necessary. This permits entry to any land anywhere in Great Britain for the purpose of any high speed railway which ministers might wish to propose in the future. It is outside the long title and scope of the Bill, not being a purpose connected with HS2.
- 10.2 Your Petitioner requests that Clauses 51 and 52 should be amended so that land can only be accessed with the landowner's and occupier's consent.
- 10.3 Compensation under Clause 52(5) is limited to damage to land or other property and does not include any other losses, such as the owner or occupier being deprived of the use of the land or incurring extra costs to manage the entry onto their land. The compensation provision is narrower than in other legislation (for example, section 292 of the Highways Act 1980) and if a right of entry is retained then it should be amended.

11. Compensation

- 11.1 Your Petitioner submits that the compensation provisions are not sufficient to compensate property owners adequately for the loss and damage they incur as a result of the plans for HS2 and associated development, as supported by the rights of entry for survey purposes and the increased possibility of these plans being realised if Phase 1 is approved. Compensation based purely on property values takes no account of the inconvenience, losses to businesses and severe stress that I have already experienced since the announcement of this project.
- 11.2 Your Petitioner requests that the Bill should be amended to ensure that persons whose property has faced loss of value should be entitled to claim compensation for the full amount of loss incurred due to HS2 irrespective of their position or distance from the HS2 track..
- 11.3 Your Petitioner requests that the Bill should also be amended to ensure that persons who have experienced personal loss, injury and/or inconvenience, should be entitled to claim compensation from HS2.

12. **Clause 50 - Power to apply Act to further high speed rail works**

12.1 Your Petitioner has noted that there have been a number of ministerial announcements over recent weeks and months which spoke of a possible extension to Phase 1 up to Crewe. Given that the current wording of Clause 50 would allow HS2 to extend Phase 1, without further referral to Parliament, Your Petitioner asks that Point 50 in the Bill be amended to clearly state that this Bill ONLY permits the building of HS2, Phase 1, as proposed and publically consulted on.

13. **Point 62, Part C - "Phase One purposes"**

13.1 Your Petitioner has noted Point 62, Part C, which states "(c) otherwise for the purposes of or in connection with Phase One of High Speed 2 or any high speed railway transport system of which Phase One of High Speed 2 forms or is to form part."

13.2 Your Petitioner asks that Part C of Point 62 be deleted, due to the clear ability it would give HS2 Limited to make decisions about or start work on Phase 2 of HS2 without any further reference to Parliament.

14. For the foregoing and connected reasons your Petitioner respectfully submits that, unless clauses of the Bill are removed or amended, then the Bill should not be allowed to pass into law.

15. For the foregoing and connected reasons your Petitioner(s) respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioner(s), should not be allowed to pass into law.

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

YOUR PETITIONER(S) 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 Petitioner(s) 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(s) in the premises as your Honourable House shall deem meet.

AND your Petitioner will ever pray, &c.

Signed

Trevor Forrester 11 Home Farm Court Ingestre Staffs ST180PZ

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Trevor Forrester

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