

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 Dr. Alexandra Clare Daley

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, has been a resident at 33 Frythe Close, Kenilworth CV8 2SY for 6 years along with her husband and now two young children, with the older at primary school locally and the younger about to start at a local nursery school, both requiring a significant walk across a number of roads with the potential to become busier. I am a doctor at Heartlands Hospital in East Birmingham, a commute which necessitates travel to the other side of the proposed HS2 route via the A45 into Birmingham. The role involves c. 50 hours / week working plus already more than 10 hours per week commuting time. My contract with the hospital obliges me to live within a 30 minute commute of the establishment as I work in an acute field of medicine and am frequently on call, requiring emergency attendance at any time of day or night, seven days per week. This is a matter of maintaining patient safety. We currently, other than for the issues outlined herein, have no desire to relocate.

My specific concerns revolve around the increase in traffic related to the construction itself or to other commuters being re-routed, and to my likely additional journey time to and from Heartlands Hospital.

8. Your Petitioner and their rights and interests are injuriously affected by the Bill, to which your Petitioner object for reasons amongst others, hereinafter appearing.

9. Your petitioner's children's journeys to school do and will involve a number of crossings which may be at increased accident risk resulting from heavy construction traffic and an increase in other traffic re-routing due to road closures, over a number of years.

Your Petitioner already works around 50 hours a week, and if my commute is further prolonged this will mean I spend even less time at home, detracting from my family life. As I have 2 children under age 5 this impacts greatly on them, and my precious relationship with them. I, and they have a right to a family life.

In terms of my employment contract, when I purchased my current property, I agreed the location with my employers before proceeding. If, as expected, the time from home to hospital either during or after the construction of HS2 is lengthened, then the length of commute may become unacceptable, both to me and to my employer. Even if road closures/construction traffic is limited during peak hour commuting times, I can be called in urgently at any time of day or night, on any day of the year. If roads that remain open are excessively busy due to other routes being closed, I may not be able to attend a critically ill patient within the accepted time frame. I may be required to be resident closer to the hospital, at least during my on call periods, all of which include overnight, and some of which are 3 days in duration.

10. Your Petitioner is of the opinion that the current Compensation arrangements are inadequate and inadequately address circumstances such as my own. Alternative forms of compensation might include recompense for hotel accommodation when I am on call, or paying for alternative rental accommodation for my entire family for the duration of the works, but these will variously impact adversely on the amount of time we can spend as a family and/or children's schooling arrangements. More appropriately, the solution might be for HS2 Ltd. to purchase our house at the unblighted current market price, thus allowing us to move permanently, without financial penalty (i.e. reimbursing the stamp duty, moving and conveyancing expenses in respect of replacement property). Our strong preference would be not to have to relocate in the first place, but the construction of HS2 leads me to consider this the best solution, should the project proceed, to allow me to maintain my professional integrity and the safety of my patients whilst minimising the disruption to the education of our children in particular, and our family life in general.
11. For the foregoing and connected reasons your Petitioner respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioner, should not be allowed to pass into law.

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

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 so much of the Bill as affects 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 Petitioner will ever pray, &c.

Signed

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PETITION OF DR. ALEXANDRA CLARE DALEY

Against the Bill – On Merits – By Counsel &c

Alexandra Daley