

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 **MARTIN NELSON**

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 **MARTIN NELSON**, (hereinafter referred to as “the Petitioner”), of 31 Princess Road, London NW18JR, born and bred in Camden and resident in Princess Road for 38 years. Your Petitioner is directly affected by the Bill as it affects his community, neighbourhood, borough and city; also as leaseholder and freeholder, your Petitioner has been served a compulsory purchase notice by HS2Ltd (hereinafter referred to as “the Proposer”), which is understood to be for ancillary works, though the precise nature and scope of these is unclear. Your Petitioner is passionate about sustainable transport issues, having designed London’s first dedicated and official cycle route in 1976, to and from Primrose Hill, and more recently EQ-equalunderthesun, a web platform to promote ideas of global interdependence sustainability innovation and stewardship. Your Petitioner believes in developing the national rail infrastructure, but that HS2 lacks the connectivity and flexibility to take on the transport needs of future generations, may add to the current dangerously

centripetal trend of a London-based national economy, and that the M1/Midland Railway corridor is the natural dendritic transport spine of the UK.

8. **Petitioning**

1 Your Petitioner strongly supports the letter of 14 May 2014 from Hilary Wharf of the HS2 Action Alliance to Robert Syms MP, Chair of High Speed Rail (London-West Midlands) Bill Select Committee, on the hearing of petitions.

2 Your Petitioner shares the concern of the HS2 Action Alliance about technical advice to the Select Committee, expressed on page 3 of this letter:

We are concerned that the proposer might be used as a source of technical advice, conducting briefing for the Committee on particular topics.

We would certainly be considerably more comfortable if the Committee procured its own independent advice, especially as some points that will be petitioned concern the methodology developed by HS2 Ltd.

In our view there would be advantages in moving away from an adversarial system, with opposing parties presenting evidence, in favour of the Committee obtaining an independent peer review of the evidence. This may be a fairer process, particularly where the individual petitioner lacks the expertise or resources to best present the case. The Committee might also appoint an advocate to act for the Committee and test the evidence being presented to them by the Promoter and the petitioner. For the Thames Tunnel, the Planning Inspectorate appointed a leading QC to carry out this process.

3 Your Petitioner strongly prays your honourable House to procure independent advice in assessing technical matters, rather than relying on advice provided by the Proposer. Such independent advice should also not come from either Network Rail or Transport for London, whose interests in the Bill are conflicted.

9. Consultation

Your Petitioner believes that the Environmental Statement fails to provide sufficient information on HS2's plans for Gloucester Avenue, for Primrose Hill Village and for Camden as a whole. The lack of clear information in the Environmental Statement, and the problems involved in navigating the document, make it extremely difficult to understand the relationship between the very many individual proposals; or to assess the cumulative effect of all of them when taken together rather than, as in most instances in the Environmental Statement, individually.

- 1 The ES contains no realistic assessment of the traffic consequences of these plans.
- 2 The ES contains no up to date readings for existing NO₂ and particulate pollution in Camden.
- 3 The ES contains no plans to ensure that HS2's construction does not increase these levels.
- 4 Although compulsory purchase orders were issued to property-holders in Berkley Road, Chalcot Road, Chalcot Square, Gloucester Avenue, Princess Road and Regent's Park Road, the ES contains no information about HS2's plans for work in these streets.
- 5 The ES contains very many errors and omissions, as listed by the HS2 Action Alliance, particularly in the areas of road congestion and air pollution.

Your Petitioner therefore prays your honourable House:

- 1 To provide an independent analysis of the effect of HS2's plans on traffic in Camden, based on scientifically monitored traffic readings rather than on the unscientific assumptions characteristic of the Environmental Statement.
- 2 To provide up to date readings for existing NO2 and particulate air pollution in Camden.
- 3 To provide plans to ensure that HS2's plans do not increase the already illegal levels of NO2 in Camden.
- 4 To provide plans for the works for which compulsory purchase orders have been issued in Berkley Road, Chalcot Road, Chalcot Square, Gloucester Avenue, Princess Road and Regent's Park Road.

10. **Traffic**

Your Petitioner fears that HS2's construction plans in Camden will lead to prolonged traffic chaos and to gridlock. The Promoter is seeking powers to make traffic orders, despite being neither a long-established nor an experienced highway authority. HS2 has no understanding of the reasons behind the current pattern of traffic flow in Camden; including the environmental reasons behind many local regulations. The successful management of traffic in Camden can only be assured by a considered and complementary system. The closures and diversions proposed by the Promoter, taken together with the very large number of additional lorry journeys, are an almost certain recipe for chaos.

Your Petitioner's specific fears are as follows:

- 1 Your Petitioner is deeply concerned that the powers contained in Clause 3 and Schedule 4 of the Bill concerning highways may seriously affect the ability of the highway authorities to manage their own network.

- 2 Your Petitioner is dismayed that the Environmental Statement contains no traffic management plan to demonstrate how traffic can be managed during construction without destroying the life of the community in Princess Road in Primrose Hill Village and in Camden in general.
- 3 Your Petitioner is astonished at the Promoter's failure to give adequate attention to the need to prevent construction causing traffic chaos in Camden. He draws your honourable House's attention to the Promoter's lack of experience in traffic management and to the assumption in the Bill that the needs of construction should be allowed to override all other traffic priorities in Camden.
- 4 Your Petitioner draws to your attention the huge personal, social, business, economic, health, educational, cultural and other costs of prolonged traffic chaos and gridlock in Camden.
- 5 Your Petitioner fears that construction traffic and road closures in Camden will have a significant detrimental impact on Princess Road and Primrose Hill Village.
- 6 Your Petitioner fears that construction traffic and road closures will lead to congestion at the junction of Gloucester Avenue with Oval Road; and at the junction of Gloucester Avenue with Delancey Street and Parkway. The closure of Park Village East will aggravate these problems, with Albert Street and Arlington Road being turned into rat runs. Other major local roads, including Albany Street, Chalk Farm Road, Oval Road, Primrose Hill Road, Prince Albert Road and Regent's Park Road, will see an increase in construction traffic. Use of the Slips car park in Regent's Park for construction vehicles will intensify traffic pressure at Gloucester Gate.
- 7 Your Petitioner fears that the building of the vent shaft on Adelaide Road, with the closure of Adelaide Road and an increase in construction traffic,

threatens major disruption not only to Adelaide Road itself but to England's Lane, Haverstock Hill and Primrose Hill Road.

- 8 Your Petitioner fears that construction traffic will cause congestion on Haverstock Hill, the principal road leading north from Gloucester Avenue and Primrose Hill Village.
- 9 Your Petitioner fears that, while the immediate impact on Princess Road and Primrose Hill Village will be severe, the threat posed to it by HS2's plans cannot be limited to their immediate area. HS2's plans for Camden as a whole threaten to cause traffic chaos throughout the borough of Camden and beyond. Princess Road, the area around it and Camden as a whole will all suffer.
- 10 Your Petitioner is concerned about the transportation of hazardous material near Princess Road and Primrose Hill Village, and in Camden as a whole.
- 11 Your Petitioner opposes, as a general principle, the use of cycle routes for construction traffic. Gloucester Avenue and Princess Road are marked and much-used cycle routes, and are part of London's original cycle route (see section 7 above).
- 12 Your Petitioner is concerned about the risk to the vulnerable (cyclists and pedestrians) at junctions affected by construction works or where there are significant increases in traffic.
- 13 Your Petitioner fears that many bus routes, including the C2, 31, 168 and 274, on which residents in Gloucester Avenue and Primrose Hill Village, especially the elderly, are heavily dependent, will be diverted and delayed; that commutes and school runs will become much more difficult and time-consuming; that the emergency services will struggle to get through; and that traffic chaos, including gridlock, will cause significant loss of time and profitability to many thousands of people. He also fears that HS2's plans will bring huge inconvenience and massive economic loss not only to Camden but to surrounding boroughs, including Islington and Westminster.

To address these fears, your Petitioner prays your honourable House to ensure the following:

- 1 Your Petitioner requests you to look very closely at the Promoter's plans under Clause 3 and Schedule 4 of the Bill to make traffic orders. He asks you to examine the experience, and therefore competence, of the Promoter in traffic management. He asks you to place clear limits on the general powers of the Promoter to make traffic orders.
- 2 Your Petitioner requests you to ensure that the Promoter provides a full traffic management plan for the period of construction. This needs to show that the legitimate entitlement of your Petitioners, in Princess Road, Primrose Hill Village and Camden as a whole, to a functioning traffic management system can be reconciled with the wholesale interference with the current system set out in the Bill.
- 3 Your Petitioner requests your honourable House to give the question of traffic management in Camden during construction your closest attention. He asks you to ensure that a full traffic management plan, which protects the rights of your Petitioner and of Camden as a whole, as well as the allowing the Promoter to carry out construction, is in place before the beginning of any construction.
- 4 Your Petitioner requests you to limit the scale of development at Euston and the area around it, reducing the construction traffic associated with it. A double-deck station provides the obvious benefit of maintaining or even reducing the footprint of Euston Station rather than enlarging it.
- 5 Your Petitioner requests that you remove spoil from demolition and bring in construction materials by rail rather than by road. A platform at Euston dedicated to spoil removal would mean many fewer lorries on the streets of Camden. He asks you to examine the possible removal of spoil and import of construction materials by canal.

- 6 Your Petitioner requests that you examine closely any scheme which does not require surface rail construction through Camden and also proposes to remove spoil by rail.
- 7 Your Petitioner asks you to provide a full assessment of the Promoter's plans to transport hazardous waste through Camden prior to any work starting.
- 8 Your Petitioner requests that you prohibit construction traffic from using Gloucester Avenue and Princess Road, marked cycle routes. He also requests that you prohibit construction traffic from using marked cycle routes anywhere in Camden. If the Promoter wishes to use any marked cycle route, it must provide an alternative, temporary cycle route.
- 9 Your Petitioner requests that you instruct the Promoter to put in place measures to assure the safety of cyclists and pedestrians at junctions affected by construction works or where there are significant increases in traffic.
- 10 Your Petitioner requests that you use the now redundant HS1/HS2 Link main compound, or the land intended for the HS1/HS2 Link portal, for the vent shaft currently planned for Adelaide Road, removing the need to close Adelaide Road during the construction of the vent shaft.

11. **Air Quality**

Your Petitioner is concerned that construction will lead to a significant increase in the major air pollutants Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀ and PM_{2.5}) in Primrose Hill Village and across Camden. There is now a scientific and medical consensus linking air pollution to serious health problems, including asthma, cancer and heart disease. Pollutant levels on major roads in Camden, measured in 2010, were well in excess of the legal limits imposed by Directive 2008/50/EC. These levels are unlikely to have decreased since then. The UK is already in breach of this directive and, in terms of its current compliance to this directive, rates twenty-eighth out of the twenty-eight members of the EU.

Your Petitioner fears construction will impact air quality in Primrose Hill Village from:

- 1 Construction traffic on Adelaide Road, Bayham Street, Camden High Street, Chalk Farm Road, Delancey Street, England's Lane, Gloucester Avenue, Haverstock Hill, Jamestown Road, Oval Road, Parkway, Primrose Hill Road, Prince Albert Road and Regent's Park Road.
- 2 Traffic congestion due to road closures and additional construction traffic.

To prevent damage to the health and lives of your Petitioners, your Petitioner prays your honourable House to ensure measures to protect him and his community:

- 1 Your Petitioner requests that before construction there should be an air quality baseline monitoring study benchmarked against the Air 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 the London Borough of Camden, to apply both during the construction and the operation of HS2.
- 2 Your Petitioner requests that the London Borough of Camden be provided with powers to monitor air quality in accordance with binding mitigation plans and, in the event that air quality thresholds are breached, your Petitioner submits that the Bill should be amended to enable the London Borough of Camden to require the cessation of construction activities until such point as air quality thresholds are complied with.
- 3 Your Petitioner requests that, in order to limit any increase in air pollution levels, the number of HGV journeys during construction should be reduced by the removal of spoil and the provision of material by rail rather than road.
- 4 Your Petitioner requests that that vehicles used in construction should meet the latest European emission standard.

- 5 Your Petitioner requests that you ensure, so as to avoid additional air pollution, construction does not lead to traffic congestion in Princess Road, in Primrose Hill Village or in Camden as a whole.

12. **Old Oak Common**

- 1 Your Petitioner is concerned that the generation of the new plans for Euston Station and the areas around it, following the abandonment of Option 8, will be driven by time pressure rather than by the need for careful consideration of all the available options highlighted in responses to the Environmental Statement.
- 2 Your Petitioner prays your honourable House to provide a temporary terminus for the scheme at Old Oak Common, to allow the best scheme for Euston Station and the area around it to be drawn up without inappropriate time pressure. A short deadline, resulting from the abandonment of Option 8 and the Promoter's unexpected need to provide an alternative solution, is not appropriate for making a complicated decision which will have an enormous impact on the lives of the residents of Camden, including those of your Petitioner.
- 3 Given the huge degree of doubt about the numbers of passengers using HS2, your Petitioner suggests that it would be prudent to run services initially to Old Oak Common to establish whether or not there is a need for a high-speed extension of the line to Euston.

13. **The Adelaide Road Vent Shaft**

- 1 Your Petitioner is concerned about the proposals for the Adelaide Road vent shaft. The proposed location of the vent shaft is adjacent to Adelaide Road, a major thoroughfare providing access between Camden Town and Swiss Cottage. Adelaide Road also crosses Primrose Hill Road, which is the main point of access to the Primrose Hill area for vehicles, including emergency services, from north London. Adelaide Road also carries a well-used and

frequent bus service, Route 31, which is relied on by the Petitioner and many in his neighbourhood.

- 2 Your Petitioner is concerned that the construction of the Adelaide Road vent shaft will cause major disruption to residents, visitors and businesses in terms of access. According to the Environmental Statement, the construction period will be longer than five years, in two phases. Construction is likely to require the complete closure of Adelaide Road for a period of approximately four months during construction of the shaft, during which traffic, including the Route 31 buses, emergency services and local residents will be diverted along England's Lane and Haverstock Hill.
- 3 Your Petitioner fears that the road closures and diversions required to accommodate the construction of the Adelaide Road vent shaft will lead to a significant increase in "rat running" through the area, which has a cycle route through it and contains a primary school.
- 4 Your Petitioner is pleased to note the intention to withdraw the proposals in the Bill for a link between the proposed railway and HS1 ("the Link"). He observes that the removal of the provisions for the Link will release two areas of land previously required in connection with the Link: see below, 14.5, for the location of these sites.
- 5 Your Petitioner respectfully suggests that most of the adverse effects of the siting of the Adelaide Road vent shaft could be mitigated by its relocation to either of these sites. Your Petitioner therefore prays your honourable House to require the Promoter to investigate their use for this purpose.

14. The Alignment of Tunnels

- 1 Your Petitioner points out the very great extent of existing railway land to the north and east of Gloucester Avenue and Primrose Hill. It is most desirable that the Promoter's tunnels should run beneath existing railway land rather than beneath your Petitioner's neighbours' houses.

- 2 Whilst pleased by the minor realignment of the Promoter's tunnels away from Gloucester Avenue and Primrose Hill Village, agreed by the Gloucester Avenue Association and the Promoter in 2013, your Petitioner believes that an alignment running beneath the centre of existing railway land would be greatly preferable in protecting my and my neighbourhood's interests.
- 3 Your Petitioner points out that the Promoter's decision to locate a vent shaft near the Nature Reserve on Adelaide Road was based on the need for it to service the now-abandoned HS1/HS2 Link tunnel, as well as the twin tunnels running towards Euston. Your Petitioner points out that this is no longer the case, following the abandonment of the HS1/HS2 Link.
- 4 Your Petitioner believes that it is possible to site the vent shaft for the Euston tunnels on existing railway land, rather than next to Adelaide Road. He respectfully observes that the removal of the provisions for the Link will release two areas of land previously required in connection with the Link: the first being the site which was proposed for a construction compound and the HS2/HS1 intervention shaft by the former Primrose Hill Station. The second is the site proposed for the eastern portal of the HS2/HS1 tunnel on land between Juniper Crescent and the Regent's Park Road Bridge. Both sites are within the "red lining" of the Bill, and both are fewer than 2000 metres from the site of the next vent shaft on the proposed railway at Alexandra Place. Your Petitioner understands that this is the principal engineering constraint affecting the spacing of vent shafts.

Your Petitioner therefore respectfully prays your honourable House as follows:

- 1 Your Petitioner requests you to ensure that the Promoter's tunnels run centrally under existing railway land between Parkway and the Chalk Farm Bridge.
- 2 Your Petitioner asks you to examine the opportunity provided by the abandonment of the HS1/HS2 Link to realign the Promoter's tunnels to run to a vent shaft situated in what was the intended HS1/HS2 Link construction compound; or on the site of the intended HS1/HS2 Link portal.

- 3 Your Petitioner prays that in considering the Promoter's plans for Euston, to replace the now-abandoned Option 8, the loss or saving of a few seconds during the operation of the line should not be allowed to outweigh the interests of the residents of Gloucester Avenue, Primrose Hill Village and Camden. He draws your honourable House's attention to the fact that capacity rather than speed is now the Promoter's argument for the necessity of building the line.
- 4 Your Petitioner prays that, in considering the Promoter's plans for Euston, your honourable House is mindful of his and his neighbourhood's interests. Your Petitioner believes that any decision on plans for Euston Station to replace Option 8 will have implications for his and his neighbourhood. He therefore requests that you will ensure that, in making this decision, significant weight should be given to any solution which allows the Promoter's tunnels to run centrally under existing railway land in the sector between Parkway and Chalk Farm Bridge.
- 5 Your Petitioner prays your honourable House, when considering the option of a double-deck station at Euston, to add to its unenlarged or reduced footprint and other merits the advantage of allowing the alignment of the Promoter's tunnels to run centrally under existing railway land in the sector between Parkway and Chalk Farm Bridge.

15. **Euston Station**

- 1 Your Petitioner is deeply concerned at the provisions of Clause 47 of the Bill. This will allow the Government to purchase land compulsorily where it thinks that HS2 creates "an opportunity for regeneration or development" on any land. The clause states that the Government may acquire land compulsorily if it "considers that the construction or operation of phase one of High Speed 2 gives rise to the opportunity for regeneration or development of any land". This clause, without defined time or space limits, is the assertion of a new general power unprecedented in the history of infrastructure projects. Your Petitioner fears that it will be used to enforce large-scale development without the interests of your Petitioner or of the residents of Camden being taken into account. Your Petitioner fears that Clause 47 is a Trojan horse for the benefit of developers at your Petitioner's expense and that of the residents of Camden.

Your Petitioner has no wish for Euston to be turned into another Canary Wharf. He points out to your honourable House that the aim of the Bill is for improving transport and not for massive enforced building development in an inner city area. Your Petitioner also points out that such a major change in government powers should not be introduced surreptitiously and by stealth in a Bill on another matter.

- 2 Your Petitioner draws to your honourable House's attention the impact which any future decisions about Euston Station will have on Gloucester Avenue and Primrose Hill Village.
- 3 Your Petitioner stresses the importance to him that your honourable House ensures that whatever station is built at Euston, to replace the Promoter's Option 8, should, as part of its design, allow an alignment in the section of the line near Gloucester Avenue and Primrose Hill Village to run centrally under railway land.
- 4 Your Petitioner strongly supports the building of a double-deck station at Euston so as to maintain or reduce the footprint of the existing station.
- 5 Your Petitioner endorses the following passage of Section 15 of London Borough of Camden's petition to your honourable House on this Bill:

Your Petitioners are prepared to consider other solutions for the Station and, in order for adequate time to be given for proper consideration, your Petitioners request that consideration is given to the suggestion later in this Petition for a temporary terminus at Old Oak Common. In coming forward with revised proposals, the Promoters must consider properly a range of designs which could be contained within the Station's footprint, such as the option known as "Double Decked Down II", as well as designs which could contain the approach to Euston Station within the boundaries of the existing Camden cuttings and tracks ...

Your Petitioner respectfully requests your honourable House as follows:

- 1 Your Petitioner requests that the powers granted under Clause 47 be removed from the Bill.
- 2 Your Petitioner asks you to ensure that the interests of Princess Road and Primrose Hill Village are taken fully into account in examining and approving any new plans for Euston Station.
- 3 Your Petitioner asks you to look favourably on a design for Euston Station which causes the least damage to the area around the station and to Camden as a whole.
- 4 Your Petitioner asks you to look favourably on a double-deck solution for Euston Station, whether Double-Decked Down 2 or a similar plan.

YOUR PETITIONER THEREFORE HUMBLY PRAYS 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.

AND your Petitioner will ever pray, &c

SIGNED