

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 FRANCES PAULINE OWEN

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.

Compensation

7. Your petitioner is the joint property owner of The Shrubbery, Hints Court, School Lane, Hints, Tamworth, Staffordshire. B78 3 DW. My husband and I are 66 years of age and have live at the property for 26 years. The Village of Hints has now amenities and no public transport and your petitioner is now at an age where it is important to be near such facilities. The property has been developed/improved over a number of years in order to fund our retirement by downsizing, but instead is now a huge drain on savings. The property is 500m from the line.
8. Your Petitioner and their property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.
9. It is now 5 years since our retirement and all efforts to sell the property have failed. No properties have sold within the village of Hints since the announcement of the scheme. Estate agents estimate a 50% loss in property value due to its proximity to the line.
10. HS2 Ltd. EHS panel rejected our application but accept that it the probable reason for the property being unsaleable is the high speed line. They have in fact purchased 3 properties (all further from the line than our own property) in the same small

development of 5. The case for blight would seem to have been accepted. The blight is exacerbated by a lack of maintenance of property and gardens owned or rented out by HS2 LTD.

11. Your petitioner submits that the compensation provisions in relation to property that is not compulsory acquired are not sufficient to compensate your Petitioner adequately for the loss and damage they may incur as a result of construction and operation of the high speed railway and associated development.
12. Your petitioner requests that the Bill should be amended to ensure that all persons who are outside the safeguarded area who are injuriously affected by loss of value should be entitled to claim compensation.
13. Your petitioner requests that the voluntary purchase announced on 9 April 2014 should be extended to all properties and not limited to rural areas.

Mitigation

14. Your petitioner is concerned about the impact of the construction and operation of the railway near to the Village of Hints. Here the route would be in a deep cutting and will result in the loss of part, possibly all, of two ancient woodlands. It will cut through an area identified in the Staffordshire Landscape Charter Assessment (2000) as being High Landscape Quality, and in close proximity to the Hints Conservation Area. Noise arising from trains and maintenance of the railway is of great concern to the community, in particular because of the curvature of the line here is such that it will require frequent track maintenance, which will likely be carried out at night time.
15. Your petitioner considers that the mitigation proposed at this location is inadequate and that a modification to the vertical alignment is needed in conjunction with a cut and cover tunnel between the ancient woodlands of Rookery and Roundhill. This would substantially reduce the impact on the nearby Hints Conservation area.

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 FRANCES PAULINE OWEN

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