

**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 Bernie Douglas

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 lives approximately 700m from the proposed line as it passes Mixbury on an 8m embankment over open fields to the east of his property and has lived in his current residence for 5 years. He chose to live in this location due to the tranquil rural nature of the surroundings
8. Your Petitioner and his rights, interests and/or property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

#### 8.1 Local road closure during construction

Your Petitioner is concerned about the disruption HS2 construction will cause to the local road network. I am particularly concerned about Featherbed Lane, known locally as Fulwell Lane, which is proposed to be used under the Bill as a route for construction traffic for up to 12 months for bridge construction. The proposed diversion will result in increased traffic on the A421 at a time when that road is restricted by HS2 related road works, and is itself a major construction route:

Your Petitioner asks that the nominated undertaker provides an alternative solution that will allow Featherbed Lane (Fulwell Lane) to remain open to through traffic during the entire construction process.

## 8.2 Construction Traffic

Your Petitioner is concerned about the impact of construction traffic on the village and surrounding roads. The result will be that general road traffic will divert itself through local villages, increasing accident rates, congestion, and road wear. Your petitioner is further concerned at the large number of HGV movements which will increase congestion on local roads and nearby main arterial roads such as the A421 & the A43

Your Petitioner asks that an alternative route for all heavy construction traffic is provided along the line of the proposed railway and that no HGV movement is permitted through the village or Mixbury or surrounding roads – e.g. Featherbed Lane (Fulwell Lane)

## 8.3 Visual Impact from Construction and Operation

Your Petitioner is concerned about the visual impact of the proposed scheme and planned structures, woodland, scrubland and hedges planned by the Promoter will cause a detrimental effect on the area for decades after construction

Your Petitioner requests that all woodland, scrubland and hedges not on the direct route of the line and not occupying land needed for permanent structures should be protected and screening plantations should be started during year one of the works, using densely planted semi-mature indigenous trees and shrubs to minimise the time before effective screening is achieved.

Your Petitioner also requests that any structures – such as bridges, noise barriers etc - be agreed and approved by the local parish and district councils to ensure they are in sympathy with the local environment

## 8.4 Operational Noise.

Your Petitioner is gravely concerned about the impact of operational noise to his residence in Mixbury. He believes that the Promoter has not provided data on true peak noise from the scheme - the most appropriate, easy-to-understand measure of impact that the proposed scheme will have on an otherwise very quiet rural environment - and the impact will be extremely high on his residence and village location.

Your Petitioner is in agreement with Mixbury Parish Meeting who have requested that the track height is lowered along the entire route through Community Forum Area 14, sufficiently to protect our rural environment from both sight and sound of the trains. A further improvement could then be accomplished by adding a cut-and-cover green tunnel along most of the line as it passes the village.

A less effective alternative solution could be to commit to additional noise barriers on both sides of the proposed line between Warren Farm and the northern end of the Great Ouse viaduct. The barriers might be engineered acoustic barriers, earth bunds, wide woodland and scrub plantings or a combination of all three. They should effectively shield the countryside from both sight and sound of the entire train including the pantographs to reduce the noise level as much as is possible. Such mitigation must be designed in consultation with the district council and affected Parish Councils to fit in with the local environment.

#### 8.5 Road Traffic Noise.

Your Petitioner is concerned about the increased traffic noise from the A421 occasioned by raising the road to cross the new line.

Your Petitioner request that the new stretch of road be completed with a low noise surface to minimise this impact on the villages of Mixbury and Finmere. 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.

#### 8.6 Freight Use

Your Petitioner is concerned about the possible use of the proposed line for freight use during the period from 2200 – 0600 and the injurious impact that this would have on his residence and village.

Your Petitioner requests that the operational use of the proposed line should exclude ALL use of the line for freight purposes outside of the hours of 2200 – 0700

#### 8.7 Increased Home Insurance Costs

Your Petitioner is concerned about the impact that the construction will have on the costs of obtaining home insurance on himself and others as insurance company underwriting rules may be changed to reflect the possibility of increased local crime arising from the storage of valuable plant and material nearby.

Your Petitioner requests that the promoter underwrites and indemnifies the Petitioner from any increases in Insurance premiums arising from the construction of the scheme.

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.

9. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and his 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

Bernie Douglas

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