

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

Against the Bill- 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

Edward Ralph Grayson and Caroline Elizabeth Grayson

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 Edward Davey, and Mr Robert Goodwill.
3. Clauses 1 to 23 set out the Bill's objectives in relation to the construction and operation of the railway transport system set out in paragraph 1 above. They include compulsory acquisition and planning. Clauses 24 to 42 establish a regulatory regime for the railway transport system and clauses 43 to 65 deal with miscellaneous and general provisions. These clauses are to be read with their associated schedules. The works most directly affecting Your Petitioners are contained in Schedule 1 Scheduled Works number: 2/49, 2/110, 2/110A and 2/110B.
4. Your Petitioners are Edward Ralph Grayson and Caroline Elizabeth Grayson. Your Petitioners are the registered proprietors of the freehold interest in land known as Oatleys Hall in Turweston, in the District of Aylesbury Vale which property is directly and specially affected by the Bill.. This includes Parcel 40 on Sheets numbered 2-72 and 2-74 and Parcels 41, 42, 48, 50, 51, 53, 54, 56, 56, 58, 68, 71, 72, 76, 77, 78, 79, 82, 83, 85, 97, 98 on Sheet numbered 2-74 which are subject to compulsory acquisition or use under the Bill. The land also includes a dwelling house and gardens, and ancillary buildings and grounds which, although not subject to compulsory acquisition or use, will be injuriously affected by the proposals of the Bill.

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

6. Your Petitioners object to the Bill for the reasons following:

a. Your Petitioners' estate occupies an area of circa 15 hectares. It comprises a substantial detached dwelling together with ancillary buildings, land, paddocks and polo facilities including a polo pitch. It is the family home of your Petitioners and their children. The Promoters propose to construct and operate the new railway line (Scheduled Works numbered 2/49) and a bridge over the new line (Scheduled Works numbered 2/110) across the southern half of your Petitioners' estate. As part of this, the Promoters propose to acquire a large part of the Petitioners' estate including Parcel 40 on Sheets numbered 2-72 and 2-74 and Parcels 41, 42, 48, 50, 51, 53, 54, 56, 56, 58, 68, 71, 72, 76, 77, 78, 79, 82, 83, 85, 97, 98 on Sheet numbered 2-74. A temporary access road, providing a diversion of the only existing road access to your Petitioners' dwelling house and which forms part of your Petitioners' estate, will also be constructed on the estate (Scheduled Works numbered 2/110A). The Environmental Statement accompanying the Bill indicates that a significant part of your Petitioners' estate will be permanently required for the railway, resulting in the destruction of your Petitioners' polo facilities and creating conditions that will adversely affect your Petitioners' enjoyment of their property and its equestrian use. Circa 50% of your Petitioners' estate will be used temporarily to accommodate the temporary access road, the Turweston Green Overbridge satellite construction compound and material stockpiles.

Disturbance

b. Your Petitioners are greatly concerned that the works proposed on your Petitioners' estate will compromise entirely the use of your Petitioners' estate during the very lengthy construction period. Furthermore, due to the permanent landtake and the effects of the works during their operation, your Petitioners are also concerned that the provisions of the Bill seriously compromise the permanent use of your Petitioners' estate. This is particularly so in light of the sensitive residential and equestrian use of your Petitioners' estate, and the intensity and scale of the temporary and permanent use and acquisition:

- I. Around 50% of your Petitioners' estate will be used as construction compounds and material stockpiles from which construction of the proposed scheme for this part of the route will be managed, resulting in an estimated average of 50-60 daily car trips and 10 daily HGV trips across your Petitioners' estate.
- II. The only road access to your Petitioners' estate is extinguished during construction and replaced by a narrow and temporary bridge. This temporary bridge will be shared by your Petitioners' domestic, business and equestrian traffic with the construction traffic servicing the HS2 construction compounds and material stockpiles to be sited on your Petitioners' estate.
- III. Permanently, the new railway line will run through your Petitioners' estate in cutting, leading to the irrevocable loss of your Petitioners' polo facilities, which include a professional standard polo pitch created at significant cost and created over a number of years and which has allowed one of your Petitioners' children to compete at national level. While a small part of the land on which these facilities are currently located will be returned following construction, this will not be sufficient to re-construct a polo pitch (in any event your Petitioners' children will be too old at this stage to benefit from the facilities).

- IV. The amenity of the remainder of your Petitioners' estate which is not within the limits of land to be acquired or used but is in the immediate vicinity of the proposed new railway line will be severely impacted. During the lengthy construction period, your Petitioners will suffer significant adverse impacts on residential amenity as a result of construction traffic, noise, vibration, visual intrusion, dust and reduction in air quality. On a permanent basis your Petitioners' amenity will be significantly harmed by visual impact, noise and vibration and the extent of the permanent landtake.
 - V. Temporary loss of access to public rights of way used in conjunction with the domestic and equestrian use of your Petitioners' estate will aggravate the significant impact on amenity. Bridleways and footpaths will be stopped up to facilitate the construction of the works. On a permanent basis, the diversion of public rights of way over the newly constructed overbridge once the railway has been constructed will also compromise their use for equestrian activities, due to the risk attached to horses and riders from sudden noises associated with the passing of HS2.
 - VI. The overall effect of the Bill in its relevant constituent parts and during construction and operation will be to cause severe harm to the use and enjoyment of the property.
- c. Given the alternatives available to the Promoters, there is, in your Petitioners' submission, insufficient justification for the extent of the interference with their estate during construction and operation of the proposed scheme. The Bill should be amended to exclude the Petitioners' estate from the limits of land to be acquired or used and in place of this the Bill should make provision for the new railway to run past the village of Turweston on an alternative alignment or otherwise in a mined tunnel, which would result in far fewer and less significant environmental impacts. The proposed satellite construction compound and material stockpiles should be located at an alternative site (if indeed still required).
 - d. Additionally or alternatively, your Petitioners submit that the Promoter should be compelled to carry out site-specific assessments of the impacts on your Petitioners' estate during both the construction and operation of the proposed scheme before the Bill is allowed to pass into law and authorises the works. Your Petitioners request that additional provisions are introduced in the Bill or assurances are provided to your Petitioners to ensure that the Promoter takes full responsibility for such matters and that significant adverse effects arising from such matters are avoided or adequately mitigated. Your Petitioners also request that an effective noise mitigation and monitoring system is introduced before commencement of construction and maintained throughout the construction phase and following during operation of the railway. A noise threshold, or noise thresholds, should be established, which if exceeded should result in the Promoter having to cease construction or train operations until remedial measures are in place which reduce noise levels to the agreed threshold. Assurances should be given that construction traffic and traffic to and from your Petitioners' estate will be managed in consultation with your Petitioners, including across the proposed, narrow overbridge.

Compensation and related matters

- e. Furthermore, the uncertainty caused by the Promoters' proposals and the significance of the effects are already having a blighting effect on your Petitioners' estate including land which is not within the limits of deviation of land to be acquired or used. This incidence

of blight will continue. Your Petitioners submit that further provision should be included in the Bill to address and provide a full indemnity in respect of the blighting effect of the proposed works on properties such as your Petitioners' estate.

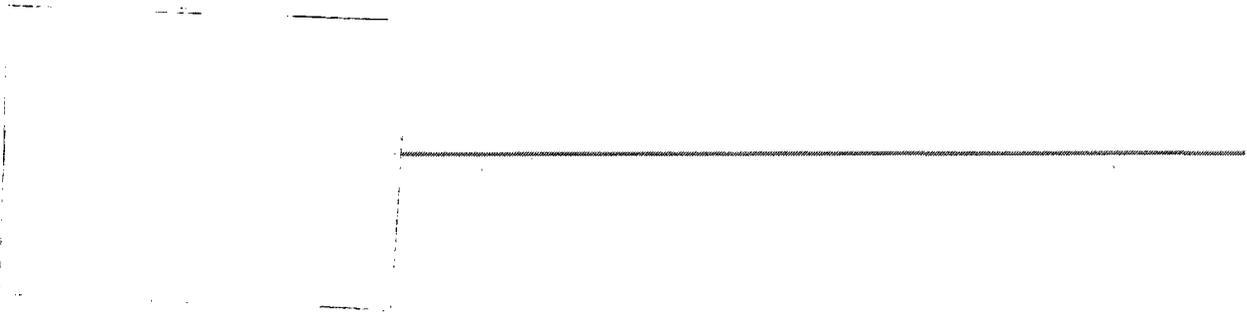
f. Your Petitioners' respectfully submit that the provisions with regard to compensation for compulsory acquisition and other matters as proposed in the Bill are inadequate to compensate your Petitioners for the loss, damage, disturbance and detrimental impact on amenity which they will suffer as a result of the construction and use of the proposed works. The Bill should be amended to introduce additional provisions which fully and properly compensate your Petitioners for the loss of land and amenity.

7. For the foregoing and connected reasons your Petitioners object to the Bill and also respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, and unless the assurances requested above are given, the Bill should not be allowed to pass into law.

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

YOUR PETITIONERS 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 Petitioners 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 Petitioners will ever pray, &c.



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Agent for the Petitioner:

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