

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 PÉTITION of RICHARD MARKS & CHRISTINE MARKS

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 Petitioners live at Newdigate, Church Hill, Harefield, Middx UB9 6DX having purchased the property in 1994 as a family home in a semi-rural Middlesex village of historical note. Your Petitioners are now newly retired and hope to take greater advantage of the countryside and walking routes the local area affords.***

Your Petitioners' property is located on Church Hill which is one of the main routes in and out of Harefield village and which connects to Harvil Road and Moorhall Road - the location of construction sites. Harvil Road and Moorhall Road are a five minute walk from Your Petitioners' property.

8. Your Petitioners and their rights, interests are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
9. ***Whilst your Petitioners remain unconvinced of the economic value of the HS2 your Petitioners submit this petition on the basis of the impact of the construction traffic on your Petitioners' quality of life and the impact of the provision of a viaduct on Moorhall Road on your Petitioners' lives. The Scheme will have a detrimental impact on the daily lives of your Petitioners due to the construction site traffic accessing the construction sites via Church Hill - the location of your Petitioners' property.***

Impact of Construction Vehicle Traffic on your Petitioners Lives

The Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to take 10 years to complete and will include lorry movements, the creation of dust and noise, poor air quality, and 24 hour working. This will undoubtedly lead to sleep deprivation and considerable health concerns for your Petitioners and their son who has a diagnosis of asthma.

Your Petitioners are well aware that Church Hill is frequently used as a detour when there are problems on the M25 and this significantly increases the volume of traffic through the village resulting in a near stand-still traffic jam. Add the construction traffic to the situation and it will be intolerable for your Petitioners as residents on Church Hill - your Petitioners will be unable to readily gain access to and egress from their own property.

Church Hill has a weight restriction re heavy vehicles and your Petitioners are fearful that the road will not sustain the HS2 construction traffic, resulting in a decaying state of the road with subsequent problems for your Petitioners.

Your Petitioners regularly walk along Church Hill to access the village amenities. This will become an extremely unpleasant and uncomfortable experience battling against the noise and pollution caused by the construction traffic which will undoubtedly use Church Hill to access Moorhall Road and Harvil Road. There is also a safety issue as at points the pavement is extremely narrow with low level kerbs on the roadside. Your Petitioners' access to walks in the local fields and canal side will be restricted by the construction sites location and construction traffic.

The Scheme will spoil the tranquil views and peaceful walks your Petitioners enjoy in the locality of their property.

Your Petitioners enjoy a healthy active life style, running and walking daily, using the surrounding open green space, public footpaths, bridleways and woodland. Your Petitioners are concerned that the air pollution generated during the construction period of at least seven years, further aggravated by the disproportionate and large amount of construction proposed for such a small area, will increase the Petitioners' risk of ill health.

Your Petitioners' house is located on the roadside and will be affected by the vibration caused by heavy construction traffic using the road. This will cause your Petitioners discomfort and distress on a daily basis and into the night. Your Petitioners are also fearful of the impact of this frequent and extended vibration on the stability of your Petitioners property.

Two construction sites are proposed along Moorhall Road and the construction of the proposed viaduct across this road. Your Petitioners use Moorhall Road by car

on a regular basis to access the M25 and M40, to access local shops and for leisure purposes to access the Grand Union Canal Tow path. Your Petitioners are concerned that access in and out of their property will be severely and adversely impacted by the volume of heavy goods vehicles due to the presence of the construction sites and their presence could increase the risk of road traffic accidents causing further misery.

Your Petitioners regularly use the U9 and 331 London Bus services. Part of the U9 route is along Harvil Road and the 331 along Moorhall Road. Your petitioner is concerned that this facility will be withdrawn or disrupted for a number of years due to the delays that will be caused by construction traffic. There are no other alternative routes for this service in South Harefield.

Impact of the Proposed Viaduct

Your Petitioners regularly walk across the land adjacent to where a proposed viaduct will be built. Your Petitioners regularly walk or drive along Moorhall Road. The viaduct will pass directly overhead at a height of 15 metres carrying up to 36 trains per hour. The promoters have not indicated the decibel level of the trains in this circumstance. The ES accompanying the Bill suggests 90 Db. at 25 metres. Your Petitioners believe the noise level of passing overhead trains could be damaging to health and hearing, making Moorhall Road and the Grand Union Canal Towpath unusable on foot.

Crime and Cost of Policing

Your Petitioners are concerned the construction of the viaduct from the start will result in the rise of crime in Harefield, and neighboring Colne Valley area. Your Petitioners are gravely concerned about the impact of the proposed residential construction site based on the A412 along with six other non-residential construction sites proposed for the local area. The residential site will result in an increase of at least 200 workers, likely to be mostly transient workers. The construction work is likely to attract hostility, increasing the risk of public order type offences committed by protestors venting their frustration. These crimes are likely to occur in the vicinity of the residential site and in and around Harefield Village and workers themselves may become targets of hostility when they choose or need to use local amenities. HS2 Ltd only briefly mentioned when questioned at a community forum, that it would provide a security guard to ensure construction workers behaved reasonably and were law abiding. Your Petitioners are concerned a security guard will not have the sufficient power or resilience to be effective and will be at risk. The non-residential sites housing expensive machinery will be vulnerable targets for theft and criminal damage. Your Petitioners are concerned because historically major construction works, particularly where areas of natural beauty are threatened, have seen protestors come from outside to support local opposition. Construction work in Harefield and the Colne Valley is likely to start earlier than 2017 and the area will experience the loss and destruction of beautiful

natural habitat. Your Petitioners are concerned this area will attract much media attention and draw in protestors. Your Petitioners are concerned that they will be directly affected by this potential threat of crime and violence due to their property being in such close proximity to construction.

Harefield Village has one designated police officer and one Police Community Support Officer. These officers are based at Ruislip, approximately four miles away. The PCSO's current form of transport to Harefield is on public transport. Your Petitioners are concerned the very long delays caused by construction traffic on roads leading to Harefield from Ruislip and a rise in crime will result in totally inadequate policing in the area, placing residents, their property and construction workers at an unacceptable risk. Your Petitioners are very concerned about the increase in cost that will be involved to provide necessary and acceptable law and order enforcement. Your Petitioners are concerned that HS2 limited has failed to recognise or chosen to ignore the issue of policing and cost, evidenced by reports from previous major infra-structure projects. Your Petitioners base their concerns on the following information published regarding the M11. 'The road was eventually built as planned, and opened to traffic in 1999, but the increased costs involved in management and policing of protestors raised the profile of such campaigns in the United Kingdom, and contributed to several road schemes being cancelled or reviewed later on in the decade. Those involved in the protest moved on to oppose other schemes in the country, while opinions of the road as built have since been mixed. By 2014, the road had become the ninth most congested in the entire country'.

Land Pollution

Your Petitioners live in close proximity to Park Lodge Farm on Harvil Road and its surrounding countryside and woodland. This land has been safe guarded for the sustainable placement of spoil from tunneling. Your Petitioners are concerned because the safeguarded area is as large as the area of Harefield. Your Petitioners are concerned that the volume of HGV traffic will be further increased when the disproportionate amount of spoil is transported to Harefield, causing further traffic congestion and more air and noise pollution. The height they propose to dump the spoil, at 3 meters is a cause for concerns and you Petitioners are concerned this area will not recover from the dumping of spoil and that it may be contaminated with toxins.

- 10. Your Petitioners object to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submit that the Bill should be amended or undertakings should be required so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works by considering their cumulative impacts on communities. And they need to suggest necessary changes from the results of that review before works design and construction strategies have been finalised or construction contractors employed.***

Your Petitioners submit that if a tunnel were constructed in the Harefield part of the Scheme that most of the above problems caused by construction traffic, the viaduct and the destruction of the natural landscape would be alleviated as the construction sites would not be necessary and therefore construction traffic will be reduced, alleviating the above concerns and the related knock on affects to surrounding areas.

Your Petitioners request that your Honourable House consider a tunnel instead of a viaduct to reduce the amount of air pollution caused by construction.

Your Petitioners further submit that a tunnel in place of a viaduct would be sympathetic to the surrounding environment, remove the health implications associated with dangerous noise levels and prevent closure of public rights of way and bridleways. If your Honourable House decides a tunnel is not an option the viaduct must be designed and constructed sympathetically and maintained visually to a very high standard i.e. by regularly funding removal of graffiti. The speed of the trains travelling across the viaduct should be reduced to a speed that does not generate a dangerous decibel. The frequency of the trains should be reduced to allow pedestrians to pass through between intervals when noise pollution is not at its worst.

Your Petitioners request that the promoters reconsider and give more thought to their decision as to where to dump the spoil. The spoil could be transported by rail and placed in an area where it would cause no adverse effect. This would also alleviate the heightened traffic, noise and dust pollution.

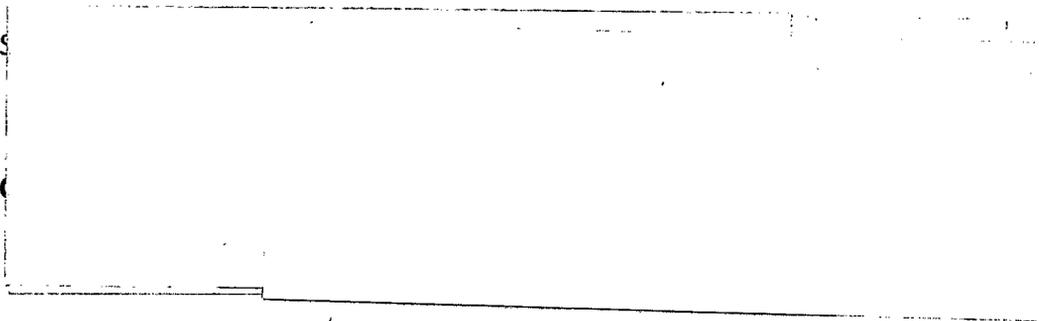
Your Petitioners submit that the construction of a tunnel in place of the viaduct would avoid increasing crime risk in Harefield and the Colne Valley area as damage to the country side will be minimised, therefore attracting less media attention and less threat from protestors. Your Petitioners request that your Honourable House consider that tunneling would be the cheaper and less disruptive option to the benefit of all involved or affected.

If your Honourable House decides this cannot be an option, Harefield Village must be provided with sufficient policing based in the locality to protect all involved from the risk of crime. Your Petitioners request thought be given to HS2 Ltd. funding the provision of extra officers and a local base within Harefield.

11. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, 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 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 Petitioners in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.



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