

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 WILLIAM DAVID CLIFFORD JONES

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, William David Clifford Jones, is the freeholder of Mouldings Green Farm, Kenilworth Road, Meriden, West Midlands. Mr Jones is a farmer and lives at the property together with his wife.

Details of the HS2 proposal, as it affects Mouldings Green Farm, are shown on the Environmental Statement Map of 29th October 2013 ref CT-06-104.

8. It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of Your Petitioner and, in accordance with the standing orders of your Honourable House, notice has been served on your Petitioner of the intention to seek such compulsory powers.
9. Your Petitioner and his rights, interests and properties are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others hereinafter appearing.
- a) It is proposed to stop up Diddington Lane, a public highway to the south of the farm. This will be very detrimental to the practical farming of the holding, now that the proposed new road between Hampton in Arden and the A452 (which would have run to the west of the farmstead, through your Petitioner's land) has been deleted from the proposals. To get to your Petitioner's land which will be severed by the railway, he will have to travel just over 3 miles, turning left out of the farm drive onto the A452 (as a right turn is not possible), going up to the roundabout, going all the way round, back past the farm, right at the next roundabout and up Meriden Road. The proposals as drafted will dramatically reduce the usefulness of the severed land to him.
 - b) Your Petitioner is also concerned about the potential anti-social uses to which the bellmouth at the end of the eastern part of the closed Diddington Lane may be subject to. It is common for such dead-ends to become used by drug users and as a general dumping ground with large accumulations of litter.
 - c) The amount of land potentially required temporarily during construction is considerable and the arrangements for its use and potential return to the original landowner have not been made clear.
 - d) A number of hedges may remain after construction which will reduce the practicality of farming the remaining land.
12. Your Petitioner proposes to your Honourable House that HS2 Ltd should be required to undertake that it will;
- a) Keep Diddington Lane open as public highway
 - b) Provide an underpass or suitable means of access to allow direct travel with agricultural vehicles between your Petitioner's land on either side of the proposed line.
 - c) Provide binding assurances at an early stage as to their intentions for land to be taken temporarily during construction. For instance, will this be compulsorily purchased from him if it is required? If so, will it be returned to him afterwards and at what cost and in what condition? Your Petitioner would greatly prefer that the Freehold of the land remains in his hands throughout, and that he is paid for the temporary use of it at a suitable rate.
 - d) At a very early stage, seek to agree with your Petitioner, a suitable specification for accommodation works (to include the removal of hedges to aid the practical farming of the holding after the scheme) where they are required as the result of the construction of the Authorised Works and that the specification, once agreed, will be binding on the Nominated Undertaker.
13. For the foregoing and connected reasons, your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioner, should not be allowed to pass into law.

14. There are other clauses and provisions of the Bill which, if passed into law as they now stand, will prejudicially affect your Petitioner and their 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 further pray, &c.

Signed:

WILLIAM DAVID CLIFFORD JONES

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