

High Speed Rail (London – West Midlands) Bill Petition of the Bickenhill Parish Council

In Parliament

House of Commons

Session 2013 – 2014

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 THE BICKENHILL PARISH COUNCIL

SHEWETH as follows:-

1. A Bill (herein after called "The Bill") has been introduced into 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 Patrick McLoughlin.
3. Clauses 1-18 set out the Bill's objectives in relation to the authorisation of works and the acquisition of land and the rights over land. Clauses 19-36 make provision for the deeming of planning permission and the disapplication of powers contained in other legislation on

matters such as heritage issues, trees, traffic and noise. Clauses 37-42 set out the regulatory regime for the railway. Clauses 43-56 establish further powers relating to the nominated undertaker, additional related works and the Crown. Clauses 57-65 of the Bill deal with miscellaneous and general provisions.

Your Petitioner

4. Your petitioner is Bickenhill Parish Council, being a duly elected Statutory Authority by the residents of Bickenhill (which is within the Metropolitan Borough of Solihull, West Midlands) and acting upon the wishes of such residents following a public meeting held on Friday 16th May 2014.
5. Your petitioner and their rights, interest and property are injuriously affected by the Bill to which your Petitioner objects for reasons, amongst others, herein appearing.
6. Bickenhill Parish (Council) is significantly affected by the High Speed 2, the alignment of which passes through sensitive open countryside, adjacent to groups of residential property and will impact on the heritage of land, property and civil amenities.
7. Additionally the consequential alteration to traffic access, both during the construction and operation presents an unacceptable consequence on the lives of those adjacent to the highway movements, grievously disturbed by users of the interchange station and conflicting highway use by those seeking access to both the National Exhibition Centre and Birmingham Airport. Both the NEC and Airport are located within the Parish Council boundary.

8. Therefore your petitioner requests that:-

The Bill presented before you should contain a clear and enforceable set of measures that impose upon the promoter a requirement to ensure that traffic management during the construction and operation of the scheme is agreed with the agencies presently responsible for such. Namely Solihull Borough Council and the Highways agency.

9. The construction of a people mover between the Interchange Station (HS2), the West Coast Mainline station and the airport is inappropriate, in so far that it does not propose to use the most direct linking route between the three stakeholders and will reduce the available car parking space at both the NEC and Airport, the consequence of which will either cause each or both to require additional spaces within the green belt area, or, impose outreach parking causing a traffic blight on local roads and villages.

10. Therefore your petitioner requests that:-

A more efficient route for the people mover be assigned, reducing the need for an impact on the car parking provision at both the NEC and Airport and mitigate against outreach parking on local highways and in adjacent residential or rural areas.

11. The Bill shows inadequate measures to provide sensitive, adequate or meaningful compensatory measures to reduce or mitigate temporarily or permanently against circumstances where the construction or operational effects of the scheme cannot be avoided.

12. Your petitioner therefore requests that:-

The Bill imposes a requirement that the promoter commits that measures that are Meaningful and seen as adequately compensatory to those affected before work is Started and remains in place whilst construction or operational nuisance impacts Those directly affected.

13. There is no clearly defined or robust plan with regard to the use, maintenance or restitution of highways, footpaths or land utilised within the construction or operational phases of the scheme recognising the impact of either the short term, long term or permanent use of such.

14. Your petitioner therefore requests:-

That the promoter commits within the Bill that land, highways and footpaths are restored to pre-construction ownership and in in a condition that is as near as possible to their original state as is practical on completion of the construction phase. Accepting that some of the land acquired will necessarily be required for operational purposes.

15. The scheme as set in the Bill fails to address the visual impact caused by the construction of the Interchange station or its associated car parking scheme. Further is demonstrates a singular lack of appreciation of the use of rural land efficiently where this has significant impact on green belt, agricultural land, forming a carefully managed buffer between areas of residential development, known as "the Meriden Gap". Neither does the sponsor pay meaningful attention to the visual impact on the adjacent communities by failing to display attention to sensitive landscaping around the completed facility.

16. Your petitioner therefore requests:-

That the promoter seeks to address these concerns by

- a. *Reduces the impact on land use, visual impact on local communities and loss of valuable rural business land (agriculture) by revisiting the earlier proposal for the construction of a multi-story car park where of the proposed four stories two are sub-terrainian.*

- b. *Accepts the relevance and importance of the Meriden Gap and its importance to the Borough of Solihull, Coventry City Council, The County of Warwickshire and all those residing within them.*
- c. *Provides a sensitive and visually pleasing programme of landscaping and onward maintenance of the same.*

17. Your petitioner is concerned that inadequate reference is made in the Bill to the causation and potential effect of disturbance to birdlife in and adjacent to the Parish Council boundaries. The proximity of a major and growing international airport is sufficient cause to ensure that bird disturbance is minimal. The consequences of aircraft bird strike has the potential to cause a high risk of crash impact in several residential areas within and adjacent to the Parish Council Boundary.

18. Your petitioner therefore requests:-

The promoter undertakes to enter into and act upon the advice of all appropriate bodies and stakeholders such as the CAA and Birmingham Airport to minimise risk and mitigate against the effects of the movement or disturbance of habitat and movement tracks of local bird life. Additionally action should be taken to ensure that all balancing ponds in the proximity of the track alignment through areas adjacent to the airport are designed so as not to be attractive to birdlife.

19. Your petitioner is concerned that a number of both long term and permanent community impacts on its residents and others who have had long term enjoyment of them. In this particular your petitioner is particularly concerned about the permanent removal of both the Olympia Motor Cycle Track and the Heath Park recreation Ground. The loss of these amenities will have a detrimental affect on residents of Bickenhill Parish Council, those from adjacent communities and those from outside the area intent on completing sporting fixtures or participating in leisure pursuits. This would seem contrary to the Governments declared intent to improve and increase sporting activities.

20. Your petitioner therefore requests:-

That the sponsor should make provision to replace such losses and that this take place before the existing facilities are removed.

21. Your petitioner is also concerned that within the Environmental Statement there does not appear to be a defined commitment to ensure that the impact on residential properties by the construction compounds, material stockpiles or construction workers residential sites has been taken fully into consideration.

22. Your petitioner therefore requests:-

That a clear undertaking be required of the sponsor that such consideration is given and where there is a measurable impact determined on residencies that steps are undertaken to reach an agreed scheme of mitigation with Residents, through Solihull MBC.

23. Your Petitioner is concerned that suitable and acceptable compensation has been agreed in respect of the effects of construction activities on the residents of Bickenhill and Middle Bickenhill. The residents of both communities suggest that there has been little direct communication between themselves and HS2. They remain both confused and concerned about the short term, long term construction impact and the ongoing operational impact of the scheme. Many have lived most, if not all, of their lives in the same properties and expect that they will now have to re-locate, but fear the financial and social impact of doing so. It would appear that HS2 has made little or no discernable attempt to deal directly with these residents and they feel both threatened and in some cases overwhelmed.

24. Your Petitioner therefore requests:-

That the sponsor makes a measureable connection with these residents and enters into a dialogue which results in a suitable scheme and individual ability to achieve a resolution of these issues.

25. Your Petitioner is concerned that the draft Code of Construction Practice remains as such (a draft code of practice) and will seemingly remain so until after the Bill has completed its passage through Parliament. Your Petitioner respectfully suggests that this is unsatisfactory and allows many key issues to remain unresolved until such a point that they would either require additional legislation, or, would see the schedule to start with no definitive undertaking as to construction methodology, working (construction) hours, access to sites, construction traffic movements, noise impact, dust and other spoil impact and other issues of effects and affects on adjacent communities.

26. Your Petitioner therefore humbly requests:-

That the sponsor enters into and reaches agreement of a Construction Code of Practice (before conclusion of the passage of the Bill) with the affected stakeholders, or responsible local Government representatives.

27. Your Petitioner further humbly requests that you accept that Bickenhill Parish Council as a Minor Authority within Solihull Metropolitan Borough it offers its full support to those concerns and the proposed resolutions addressed to your House through its own (Solihull) Petition.

28. Your Petitioner further requests that you take into consideration such other issues and concerns that may impact upon them, including the human rights of those individual and communities that form the electoral constituency of Bickenhill Parish Council.

Your Petitioner therefore humbly prays your Honourable House that the Bill may not be allowed to pass into law as it now stands and that it may be heard by its Council, 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 clauses and provisions as may be necessary or expedient for its protection, or, that such other relief may be given to your Petitioner in the premises as your Honourable House shall deem met

And your Petitioner will ever pray. &c.

Peter Geoffrey Seazell

Parliamentary Agent for Bickenhill Parish Council

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HIGH SPEED RAIL (LONDON WEST MIDLANDS) BILL
PETITION OF BICKENHILL PARISH COUNCIL

Against the Bill – on merits – By Counsel &c

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