

**HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL**

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 John Allen of 30 Lower Road, Stoke Mandeville

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 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 ("the Authorised Works") are specified in clauses 1 and 2 of and Schedule 1 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 the Bill.
- 7 Your petitioner, John Allen, is the freehold owner of and resident at 30 Lower Road in Stoke Mandeville, Buckinghamshire (your petitioner's property). Your petitioner's property is within the limits of land to be acquired and used as shown on the plans deposited with the Bill, and the property is therefore liable to compulsory acquisition under the Bill. The property and land will be injuriously affected by the Bill since they are required to accommodate the northern roundabout junction connecting the realigned A4010 with Lower Road.
- 8 Your petitioner's property currently comprises the significantly extended family home to the front of the plot and three large workshops to the rear of the site, built over many years by the petitioner to house his collection of restored or project vehicles. Your petitioner received notice of the compulsory acquisition of his property in November 2014, on his 65<sup>th</sup> birthday. Your Honourable House will appreciate that this was unexpected and unwelcome news for your petitioner who was looking forward to a happy and peaceful retirement in the unique home he had created and extended.
- 9 Your petitioner's property enjoys views to the rear across open fields north of Stoke Mandeville village. If the proposals in the Bill are enacted these will be lost forever along with what the petitioner has created which could not be replicated elsewhere. Your petitioner and his rights, interests and property are therefore injuriously affected by the provisions of the Bill, and your petitioner accordingly objects thereto for the reasons, amongst others, hereinafter appearing.
- 10 Whilst your petitioner notes that the Select Committee of your Honourable House cannot consider objections to the principles of the Bill, he remains implacably opposed to the Bill and the proposals for the high speed railway between London and Birmingham. Despite this opposition, since the original compulsory acquisition notice was received in November 2013, your petitioner has not only met with HS2 Ltd in bilateral meetings but has also been in regular contact with the Bill's promoter.

#### *Adequacy of the Environmental Statement*

- 11 Your petitioner is concerned about the adequacy and accuracy of the Environmental Statement deposited with the Hybrid Bill and does not believe it presents the 'worst case scenario'. Your petitioner requests that all deficiencies are addressed by the Bill's promoter, since the Environmental Statement informs the Environmental Minimum Requirements, including obligations for the Nominated Undertaker responsible for constructing and operating the railway.

### *Concerns about the Hybrid Bill*

- 12 Your petitioner has concerns about four clauses in the Hybrid Bill that allow the promoter to circumvent, overlook or otherwise ignore obstacles that are seen to delay planning, development or construction of the rail line. In short, these can override legal safeguards to protect water supplies, close any railway station or line at a Minister's behest, allow for compulsory purchase orders with no spatial or time limits, and establish a new 'right of entry' for HS2 Ltd to enter any property within 500 metres of the line, with refusal to provide entry a criminal offence.
- 13 The specific clauses are Clause 31, schedule 20; Clause 39; Clause 47 and Clause 51. Your petitioner strongly objects to all since they give powers that are unprecedented in the history of infrastructure projects. These must not be allowed to pass into law.

### *Realignment of A4010 and demolition of 30 Lower Road*

- 14 Your petitioner supports the realignment of the A4010, referred to by Mr Secretary McLoughlin in your honourable House as the Stoke Mandeville bypass, but strongly objects to the proposal for the northern junction with Lower Road. Your petitioner does not accept that the proposed roundabout junction requires the demolition of his property, when other junction arrangements are not only technically possible but also preferable. Indeed, your petitioner contends that building a roundabout online conflicts with standard highway design guidelines.
- 15 Your petitioner contends that moving the road closer to Aylesbury, further north on Lower Road and beyond the business park, will prevent the demolition of his property and present other opportunities that the current proposal cannot deliver. The revised alignment would not only obviate the need for the compulsory acquisition of 30 Lower Road but could also provide Booker Park School with a dedicated entrance and might, in future, improve access to Stoke Mandeville Hospital and southern Aylesbury.
- 16 To maximise the full benefits of the realigned A4010 your petitioner expects it to be part of the first construction stage, completed and open to all traffic no more than twelve months from commencement of construction. It should also be open to construction traffic from day one to avoid use of other roads across the area.

### *Health Impact Assessment (HIA)*

- 17 Your petitioner does not believe that the wider effects of HS2 have been assessed and therefore inadequate mitigation is planned. The construction phase will have noise, dust, vibration, health and emotional effects not considered in the draft Code of Construction Practice, whilst there is too little information about Local Environment Management Plans to convince your petitioner that they will address local matters.
- 18 Your petitioner asks the Select Committee to require the promoter to conduct proper consultation on the Code of Construction Practice once finalised and ensure local people are involved in the preparation of Local Environment Management Plans. This will enable good practice to be adopted and appropriate mitigation to be proposed, discussed and considered.

19 In light of the above, your petitioner reserves the right to raise the above matters and any other matters of concern relating to the substance of the HS2 Hybrid Bill and this petition that may arise from ongoing discussions, the publication of further reports, any revisions that may be made to current proposals or any other matters relevant to expressed concerns that may occur in due course and prior to representation before the Select Committee.

20 There are other clauses and provisions in the Bill which, if passed into law as they now stand will prejudicially affect your petitioner and their rights (including their human rights) and for which no provision is made to protect your petitioner, and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

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 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.

Signature of Agent for the Petitioner

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IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

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(LONDON-WEST MIDLANDS)  
BILL

PETITION OF John Allen

AGAINST, By Counsel, &c.

Marcus Rogers  
Peitho Partnerships Ltd  
104 Kynaston Avenue  
Aylesbury  
BUCKINGHAMSHIRE  
HP21 9DS  
07702 490999