

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 Westbury Parish Council

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 Your Petitioners are concerned with the detailed implementation of the Bill in Clause 1-36 setting out the Bill’s objectives in relation to the construction and operation of the railway mentioned above. And clauses 37-65 of the Bill dealing with a regulatory regime for the railway and a number of miscellaneous and general provisions. .
- 4 Your Petitioners are Westbury Parish Council representing the inhabitants and village of Westbury. The Bill will result in a high speed railway line, cutting diagonally across the South Western side of the village at a distance of 450m. The Village lies in the prevailing winds across a valley where 250m of the line will be on a high viaduct, and thus the properties and amenities of every household will be directly and specially affected. This Valley is the main amenity for the village offering a variety of registered and non-registered footpaths and bridle paths, some of which will be lost. Main access to the village is via the A422 directly affected during the construction phase. In addition the main businesses in the village Beachborough School, Fields Barn Farm and Owen’s Farm will be affected by the closure of Featherbed Lane. The properties and amenities of every household are identified in the Environmental Statement that accompanies the Bill as being affected by the Authorised Works. Your petitioners accordingly object for the reasons, amongst others, hereinafter appearing.
- 5 Your petitioners are concerned about:
 - i. The Consultation Process.

Your Petitioners have resorted to this submission after failing to obtain the mitigation necessary for our village.

ii. Road closure during construction

Your petitioners are concerned about the disruption HS2 construction will cause to Featherbed Lane, which is proposed to be used under the Bill as a route for construction traffic, and will be closed to through traffic for up to 12 months for bridge construction. This is heavily used by parishioners as a key Southerly route out of the village, families as a safe cycling route for village bike rides, by Beachborough Parents as a key school route and by three farms, Fields Barn Farm and Owen Farm within our Parish, for their business. The proposed diversion will result in increased traffic on the A421 and A422 at a time when that road is restricted by HS2 related road works, and are themselves major construction routes, and in an unacceptable burden of extra traffic through the neighbouring village of Finmere, whose roads are totally unsuitable for HGVs or large agricultural vehicles.

Your petitioners request that the nominated undertaker provides a temporary alternative solution that will allow Featherbed Lane (Fulwell Lane) to remain open to through traffic during the entire construction.

iii. Construction Traffic.

Your petitioners are concerned about the impact of construction vehicles on the village and surrounding roads. The local road network is unsuitable for the heavy increase in construction traffic predicted in the Environmental Statement. In particular the single track Featherbed Lane (Fulwell Lane) is unable to accommodate a large number of HGV movements, and both the A421 and A422 will be restricted by HS2 engineering work as the line crosses them. Your petitioners are also concerned about the increased traffic movements along the A422, stated as upwards of 2000 a day. The result will be that general road traffic will divert itself through the rural road network thereby increasing accident rates and congestion.

Your petitioners request that a route to carry most of the heavy construction traffic is provided along the line of the proposed railway.

iv. Closure to the 'new road' Westbury accessing Owen's Farm and The Stables.

Your petitioners are concerned about the impact of closure to the 'new road' Westbury for planting. This road is the only means of access to the residents of 'The Stables' and to the Owen Farms barns.

Your petitioners request that access via the new road to the The Stables and Farm remains open.

v. Cycling routes and recreation

Your petitioners are concerned about the disruption HS2 construction vehicles will cause to the local road network, particularly to impacts on people using the local roads for cycling. Your petitioner is particularly concerned with the A422 regularly used by cyclists to Brackley and Turweston in addition to the old Buckingham to Banbury railway path, a non-registered bridle path. In addition the changes to the A422, which will

be straightened will exacerbate the problem of safety for cyclists with cars speeding . At a meeting with Turweston Parish Council Mark Bailey of HS2 said 'the cycleway was exactly the sort of benefit they could support'.

Your petitioners request that HS2 provides a cycleway from Westbury, via Turweston, to Brackley in order to allow your petitioners to cycle safely around the area. This could be in the form of creating a new cycle path.

vi. Impact during Construction

Your petitioners are concerned about the visual, light and noise impacts during construction of the line, especially that of the construction compound immediately off the A422 and the viaduct; in particular the impact on those dwellings within sight of the proposed construction compound and viaduct. Also your petitioners who will see the works authorised by the Bill when enjoying their rural environment, and therefore will all be directly affected by the construction works. Planting is not suggested until later in the scheme and there is no mention of bunding North East of the viaduct. Planting on the Western edge of the Cricket pitch will reduce the pitch size to a scale that does not meet the sports minimum standards. Construction will take place through the night with bright lighting and large cranes in place. Westbury village lies in the prevailing winds and dust is likely to be carried in the direction of the village. Petitioners are also concerned about the complete lack of any information of how the construction compound will be changed back into a natural habitat/farm land.

Your petitioners request that all plantations, woodland, scrubland and hedges not on the direct route of the line and not occupying land needed for permanent structures should be protected. Furthermore, screening plantations and bunding should be started during year one of the works, using semi-mature indigenous tree species, that meet British standards, to minimise the time before effective screening is achieved. The planting proposed for the Western edge of the Cricket field should be moved Westward to the Eastern boundary of the 'new road'. Your petitioner requests that if the construction compound has to be position where proposed then the best means available for minimising visual, noise, dust and vibrations both during construction and operation are utilised. Furthermore you petitioners requests that noise, dust and vibration monitoring equipment is installed at appropriate locations in the village for the duration of the construction, and a monitoring programme agreed with the local authority is undertaken. If monitoring shows that the noise, dust or vibration thresholds are exceeded that works immediately stop and the appropriate mitigation installed, or the nominated undertaker should arrange temporary accommodation and any necessary cleaning to village properties. Your petitioners also request that a detailed plan is provided for how and when the construction compound is changed back into a natural habitat/farm land, and this is agreed by the district and parish council.

vii. Visual Impact during Operation, Photomontage LV-01-093 viewpoint 178-2-003, CT-06-063

Your petitioners are concerned about the visual impacts during the operation of the line, especially the impact on dwellings within sight of the line and viaduct, Littleworth Cottages, The Mill, The Stables, and those many residents enjoying their rural environment through the main walks and bridle paths, who will therefore all be directly affected by the works. Where the trains will emerge from the cutting from Turweston through onto the viaduct there is a gap of bunding and thick planting East of the track ES CT-06-063, ABC 6. There is no bunding and only thin planting suggested immediately along from the cutting heading South East, and there is no mention of the substantial plantation South of the River. Bunding was talked about and seen as a good solution to visual and sound impacts during on site meetings with Martin Wells and Sebastian Jew in April 2013. In addition the possibility of planting across the sound barriers, as done in Japan, was discussed in some depth. In the ES the viaduct is still visible in 60 years time that brings into question a lack of planting and bunding.

Your petitioners request that all plantations, woodland, scrubland and hedges not on the direct route of the line and not occupying land needed for permanent structures should be protected. Furthermore, screening plantations should be started during year one of the works, using semi-mature indigenous tree species, that meet British standards, to minimise the time before effective screening is achieved and to ensure a high survival rate of new plantings. Further bunding and planting North East of the track where the viaduct begins and continues South East will create a better screen, alongside planting on the sound barrier itself as used in Japan. The sound barrier should also screen the pantograph. In addition earth removed from the cutting across the A422 to Turweston can be used for bunding, providing a valuable environmental benefit.

viii. Noise Impact during Operation

Your petitioners are concerned that there is no bunding and only thin planting from Bridleway 303/4 through to Tibbetts Farm and along to The Oaks Farm, where land is high and exposed and prevailing winds will carry sound across the valley to Fulwell, Fields Barn and the Eastern side of Westbury Village. Horseriders, 60 in the Parish, are concerned about the risk of horses being startled by trains. Your petitioners are concerned that the noise fence barrier is only 1.4m on the viaduct, and 2m elsewhere, compared to 4m through Turweston. In addition there is no information on the treatment of the viaduct and track regarding sound absorption. The variations in sound impact, 15dB ranges, are too wide, and suggest that even 65dB will have a negligible impact on the village.

Your petitioners request that noise fence barrier is made higher along the viaduct. Further sound barrier fencing, bunding and planting is put in place both East and West from where the track emerges from the A422 cutting all the way along the track to Tibbetts Farm and on to The Oaks Farm joining their sound fence barrier. Barriers will also help protect horse users and wildlife. Furthermore your petitioners requests that noise, monitoring equipment is installed at appropriate locations and a monitoring programme agreed with the local authority is undertaken. If monitoring shows that the noise thresholds are exceeded that the appropriate additional mitigation is installed.

ix. Bridleways and footpaths.

Your petitioners are concerned about the impact of HS2 on their key amenity, rural tranquillity with paths, gallops, off road cycling being heavily compromised. They regularly use the open countryside along both sides of the proposed line for the exercise of on average 60 horses stabled in the parish, and 100 dogs. The routes used include both registered and some unregistered routes in the process of being formally claimed through Buckinghamshire and Oxfordshire County Councils, for example the Buckingham to Banbury railway track, use by the residents of both Mixbury, Turweston, Evenly and Westbury This has been raised at a site meeting with HS2 Martin Wells and Sebastian Jew in April 2013

Your petitioners requests that in addition to more noise barriers, bridle paths should be re-routed to avoid travelling beside the proposed track before making a crossing. A survey of unregistered routes should be undertaken to ensure that all paths are kept open. Mitigation must be designed in consultation with the district council and affected Parish Councils, and must be designed to fit in with the local environment. HS2 should be asked to liaise with Oxfordshire on the existing footpath claim for the Buckingham to Banbury railway track as a formal bridle path and resolve this issue prior to construction. Currently Oxfordshire work load means that it is not prioritised and won't be looked at for another 8 years. It should be prioritised as a result of HS2 and the changes this will make to the area of path under question.

x. Road Traffic Noise.

Your petitioners are concerned about the increased traffic noise from the A422 which is likely to a factor following its realignment.

Your petitioners request that the new stretch of road be completed with a low noise surface to minimise this impact on the villages of Westbury and Turweston.

xi. Ecology.

Your petitioners are concerned at the lack of detail on the movement of Barn Owl nest, and the lack of any information on the considerable hare population in the fields on and around the construction compound site. In addition your petitioners are concerned at a lack of detail on the construction of the balancing ponds.

Your petitioners request that barn owl and hare habitat compensation should be like-for-like, with no net loss of habitat and that a net gain in biodiversity is delivered. This must be delivered as close as possible to the site of loss, in locations that will not be further impacted. Detailed plans should be provided and created in partnership with Landowners and District and Parish Councils. Balancing ponds should not be artificially lined, and they should be used to support imaginative ecological enhancement and maintained with some water and vegetation at all times. They should be designed to look attractive and provide a recreation facility for the community.

6. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, clauses referring to these issues so far affecting your Petitioners should not be allowed to pass into law.
7. 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, interest 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.

Signed:

Vice Chairman, Westbury Parish Council

Vicky WEBB

Dated:

19/5/14