

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

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 Andrew S. Douglas-Bate M.B.E.

HEWETH 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.

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7.1 Your petitioner is the freehold owner of Alwyn Lawn House, Stone, Aylesbury, HP17 8RZ. Your petitioner is retired and had hoped to spend his retirement peacefully in this property. Your petitioner’s property is a five bedroom house approximately 1400 metres from the proposed HS2 line situated in a quiet rural area surrounded by a few scattered houses and farmland. Throughout the construction of the line your petitioner’s property will be subject to intolerable levels of traffic noise, vibration and dust, expected to last at least two years. The Environmental Statement confirms, “that construction noise will be experienced over this period and the construction will be clearly visible throughout this period”.

7.2 The proposed line will destroy the tranquillity of your petitioner’s property which he and his family has enjoyed for over 40 years. Your petitioner is a District Councillor, who **submits this petition on a wholly personal basis.**

Hartwell: He is aware, that the Environmental Statement states “the visibility of the scheme within a well-preserved historic landscape in the parkland to the east (of Hartwell House) will alter the historic integrity and coherence of Lower Hartwell’s setting. This will partially remove the agricultural and parkland setting from which Lower Hartwell derives much of its value.” Between your petitioner’s property and the proposed line is the original village green for the hamlet (now a grassland field crossed by a footpath), which, together with the avenue of trees marking the medieval road from Hartwell House to Haydon Mill, forms part of the Hartwell House parkland. The Environment Statement places a high value on these assets and states that the proposed scheme will “remove part of, and sever, the avenue within the principal view of Hartwell House”.

Sedrup: By the same token your petitioner is aware that the historic hamlet of Sedrup will be devastated, from the points of view of noise, air quality, wild life, huge movements of lorry traffic during construction, the obliteration of archaeological remains, the open views and blight in terms of destruction of house values

Meadow Way: Between Hartwell and Sedrup on the eastern side of the A418 lies the modern housing development of Meadow Way. This more populated development will be subject to the same general blight as mentioned above, for the hamlet of Sedrup, although in a sense worse. It is proposed by HS2 Ltd., that the line of the A418 will be moved, in order to facilitate the building of the line, such that the A418 will clip the estate. Added to this, a construction traffic road is considered, to the south of Meadow Way.

7.3 The road serving your petitioner’s property debouches in the direction of Aylesbury onto the A418 at a point to the west the Bugle Horn Pub. At peak traffic times of congestion it is already difficult to exit this road. The additional heavy goods traffic proposing to use this road, even whilst a flyover is being constructed over A418, will make exiting onto this road extremely difficult and dangerous.

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Your Petitioner and his rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

9.1 Business Case

Although your petitioner is aware that the Select Committee of your honourable House is unable to consider cases that object to the principle of the Bill, your petitioner wishes to express his objection to the principle. Your petitioner is seriously concerned over the business case of HS2, particularly the fact that it represents poor value for money to the taxpayer and will benefit only a small, elite group of travellers. Your petitioner supports the alternative solution produced by 51m. This alternative represents a much better business case including lower initial costs and a much greater Benefit Cost Ratio, as reported by WS Atkins working for the Department of Transport. The experience of **HS1 must not be ignored** whereby the Government plans for the route were demolished in favour of carefully thought out plans submitted after long consultation and careful argument, placing HS1 mainly alongside classical routes. It should also be noted that French, Spanish and German high speed trains use classic, existing stations, only accelerating to high speed, on different dedicated lines, when well out in the countryside. Why such sensible planning and operation has not been adopted by HS2 Ltd. must, with respect, be explained and we request ~~that~~ the continental system adopted.

9.2 Provision of Information

Your petitioner also wishes respectfully to express concern regarding the poor provision of information provided by the promoters, Government and HS2 Ltd., from the earliest stages on the choice between the route options; prior to the deposit of the bill and since the Bill has been deposited. HS2 Ltd., peopled by Civil Servants without any commercial training or experience, has continually failed to provide necessary paperwork prior to meetings as requested and information presented has often been inadequate and conflicting. The time allowed for key consultations such as the Environmental Statement has been far too short. Key information for your petitioner, such as the reasons for rejecting the National Trust land bridge proposal, has, in too many cases, been refused. This ongoing lack of information has made it particularly difficult to understand and comment on the full impact of HS2. When information is withheld, when HS2 Ltd. claim it has been produced, your petitioner questions why such information is not being made available to those affected by the proposed line. Your petitioner respectfully expects all future documents to be made available in a timely manner - and sufficient time be made available for local resident consultation.

Treasury report: Your petitioner further requests that the recent Treasury report on the HS2 project rated as **Amber/Red** and which was suppressed from public interrogation, by the Government, be placed entirely and unabridged in the public domain.

9.3 HS2 Performance

Specifically your petitioner's own confidence in HS2 Ltd. has been further undermined by HS2.'s agent's management of a property, it purchased under the exceptional hardship scheme in the hamlet of Hartwell. HS2 Ltd. clearly had no control over its property management company (its agent) writing letters stating that certain work had been carried out, when it was obvious that it had not. The HS2 Ltd. agent showed no respect for the property's heritage or the hamlet of Hartwell. The timetable for completing the work changed 3 times and took more than double the initial estimate. The property had to be put on the AVDC listed "property at risk" register and the historic buildings officer had to stop some renovations as inappropriate. During the critical housing shortage in this country, the building purchased in November 2013 is still empty at the taxpayer's expense.

9.4 Construction Activity

Your petitioner is extremely concerned about the impact of the proposed working in or near the hamlets and villages of Hartwell, Stone, Sedrup and Bishopstone. Vibrations caused by heavy construction machinery could damage the structure of many ancient and some newer buildings.

Your petitioner requests that the whole area mentioned in the previous paragraph is unsuitable for such construction activity but that if it is impossible to find an alternative, then the hours during which construction activity takes place should be limited and the best means available for minimising noise, vibration and dust are utilised, both during construction and operation of the line. Furthermore, your petitioner requests that noise, vibration, dust and water quality monitoring equipment is installed in the area for the duration of construction and a monitoring programme is agreed with the local authority. If monitoring shows that agreed levels are exceeded, works should stop immediately and not be restarted until corrected.

Your petitioner requests HS2 Ltd. to offer acceptable guarantees that properties adjacent to the construction work will not incur additional insurance costs as a result of their scheme and that dust and air quality, water quality, traffic congestion, noise, vibration will be monitored and work stopped if the quality drops below the national and international standards, only to be resumed when those standards have been met.

9.5 Mitigation

Your petitioner believes that this line will have an unacceptable impact on the rural and historic setting of the area as outlined in the Environmental Statement and shown in its accompanying maps. Throughout the 40 years your petitioner has lived in his property he has respected and conserved its value to the community despite loss of convenience and cost to himself.

9.6 Mitigation - Solution

Your petitioner, further, humbly proposes the following' which will almost completely eradicate the fearful blight which exists in the Aylesbury area, about a mile and a half from where he and his family live - and to the southern literal of the town itself:- Aylesbury is by far the largest conurbation along the route of HS2 from London to Birmingham. There are thousands of householders on the southern literal of Aylesbury, who really do not know, at this point, what is going to hit them *during* construction, *when the line is built* and when it is up and running. In order to overcome this fearful blight, there should be two "green" tunnels from a point well to the east of Aylesbury to a point well to the west of our lovely town. It should be noted that the tunnel, or what-ever is built, will have to be duplicated, one for the "up" line and one for the "down" line. The reason for this is, that in a single tunnel, two trains going past each other at a combined speed of around five hundred miles per hour is not a possibility. If the HS2 project goes ahead, the latest indication is, that we shall have five meter high bunds on either side of the high speed tracks. Certainly, on the continent of Europe, where the petitioner has done physical research, bunds do dampen some of the sound but not nearly as well as is portrayed by those "selling" the project HS2 Ltd.

Your petitioner suggests a simple solution divided in two parts:
The first part is, in effect to build the line at ground level but then to put a lid on the five meter high bunds, to create the two green tunnels, ie *NOT* bored tunnels as is the case probably in the Chilterns. A similar type of tunnel already exists on the Chiltern railway line at Gerrards Cross - built by commercial interests .

The second part is this. Aylesbury needs a by-pass. The suggestion therefore is, that a southern by-pass is positioned *between* the two green tunnels. This would solve two problems: a much needed southern by-pass would be created and the almost total alleviation of blight would thus be effected. An added advantage would also be, that if the road were constructed first, it could be used to carry construction traffic, thus relieving to some extent, existing road congestion elsewhere.

Room to build such a by-pass and the two green tunnels **does** exist on the strip of land south of Aylesbury and north of the villages of Stone, Bishopstone, Hartwell and Sedrup.

A further benefit will be that the planned diversion of the A418 which would totally blight the Meadow Way estate to the east of Hartwell House would probably not need to go ahead.

Above all, when completed, the residents living in close proximity and on either side of the proposed track would not suffer blight to the extent that at the moment is envisage.

In our country, when major projects of this size are assembled, we so often seem to do it by halves. For instance the M1 motorway was designed and built as a four lane road - two up and two down! Having been built it soon became clear that two lanes in each direction, were just not enough - so at huge *extra* cost and disruption two and sometimes three lanes were added.

The M25 and the A40 are similar, close at hand examples of intellectual and financial parsimony leading, later on to disruption and costs way above what might have been.

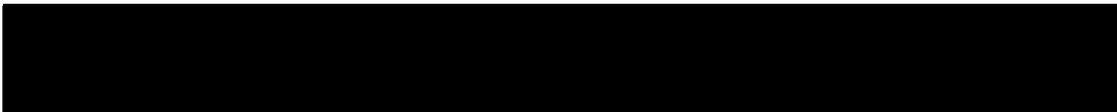
Your petitioner respectfully and very seriously suggests that the mitigation proposal mentioned above is taken into consideration.

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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 Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.



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