

Signature of petitioner: 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 JOHN SIMON THRALE MORRIS

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 lives at Potterfields, Potter Row, Great Missenden, Buckinghamshire HP16 9LU ("your petitioner's home") with his wife, Mrs Rosamond Morris who is the freehold owner of Potterfields.
- 8 Your petitioner's home is located 260 metres from the centre of the track and 445 metres from the north portal of the South Heath Green Tunnel. The land which forms part of your petitioner's home is 97 metres from the centre of the track. There are no buildings between your petitioner's home and the track or the north portal of the South Heath Green Tunnel. (Source HS2 Maps CT-05-033 and CT-05-034b).
- 9 Your petitioner uses Leather Lane, Potter Row, Kings Lane, Frith Hill -South Heath Leg, the B485 and the A 413 for access to local services, including the railway, shops and health services, as well as for gaining access to destinations beyond via the A413. Regular closure of these roads and their use by construction vehicles during the period of construction of the works authorised by the Bill will result in your petitioner being isolated from these services and in delays which will increase the time and cost taken for your petitioner to access them.
- 10 Your petitioner is a regular user of Kings Lane and Potter Row and footpaths including GM1/13 and GM1/12 for recreational purposes and for walking access to Great Missenden and for walking access to footpaths west of the A413. The proposed works to the west of Potter Row and the use of land below Hunts Green for storage of materials will result in your petitioner losing a recreational facility.
- 11 Your petitioner has lived in the Chilterns Area of Outstanding Natural Beauty (AONB) for over 22 years and was attracted to the area by the fine landscape and the excellent opportunities afforded for a wide range of recreation, including walking, running and painting.
- 12 Your petitioner's rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing. Your petitioner will look to the Promoters for full compensation for all injuries should the Bill pass in its present form.

13 Injurious effects of the Bill

13.1 Operational Noise

13.1.1 Your petitioner is gravely concerned by noise from High Speed trains. He lives in an Area of Outstanding Natural Beauty that is exceptionally tranquil and the noise from trains will have a profound effect on his day to day life. At peak times episodic bursts of noise from the trains' catenary will be heard for 4 second intervals once every 2 minutes. Such episodic noise at that or at greater intervals during off peak periods will be heard during 19 hours every day. He understands that apart from being very irritating and interfering with the enjoyment of the tranquillity of his home and his ability to have uninterrupted conversations in and around his home, such episodic noise is shown to have adverse health effects.

13.1.2 Your Petitioner requests that the highest standard of mitigation must be applied to minimise the effect of noise. The depth of the cuttings in this area should be increased to the depths proposed prior to January 2012. The cuttings should be designed to provide the highest global standards of noise mitigation. The highest global standards of noise mitigation fence barriers should also be used. The portals of the South Heath Green Tunnel should be designed using the highest global standards for noise and sonic boom mitigation. HS2 is designed to use this route for sixty years ruining every waking hour the potential peaceful enjoyment of life in your petitioner's home and environs by him and his successors. Your Petitioner chose to live in this area because he enjoys spending time outdoors and undertaking outdoor pursuits and he specifically does not wish to be hermetically sealed behind triple glazing in his home.

Your Petitioner is not confident that current sound mitigation techniques are capable of sufficient mitigation to allow your petitioner and the many thousands of visitors to the Chiltern AONB, some of whom pass through his property on the local footpaths, to enjoy the peace and tranquillity of this area as it is now. Your Petitioner therefore requests that the Promoter should extend the current bored tunnel from its current exit at Mantles Wood to the end of the Chiltern AONB north of Wendover using the CRAG T2 Tunnel Proposal or similar bored tunnel proposals which would protect the Chiltern AONB from Mantles Wood to north of Wendover.

13.2 Construction Traffic

13.2.1 Your Petitioners are concerned that Potter Row is designated as a Construction Route. The Environmental Statement reveals that Potter Row will be used by considerable amounts of traffic of all kinds accessing the worksite at Leather Lane every work day. Potter Row is a narrow country lane where commercial vehicles currently stop to allow approaching vehicles

to pass. The petitioners, their families and visitors are at risk of fatality and injury from construction traffic when entering and leaving their property.

Your Petitioner requests that Potter Row is not used as a Construction Route. A temporary haul road from the trace of HS2 to the A413 near Great Missenden must be constructed as a priority to avoid the use of country lanes. Alternatively a temporary route along the trace of the railway should be used.

13.3 *Access for Emergency Services*

13.3.1. Your Petitioners are gravely concerned that during the construction period of 7 to 8 years there will be major disruption for vehicles from the emergency services accessing Potter Row. The temporary closure of Frith Hill, Leather Lane and the inevitable traffic congestion in surrounding lanes will greatly increase the response times for Emergency Services particularly ambulances.

13.3.2. Your Petitioners request that an air ambulance service, fully funded by central Government, must be made available to those living in Potter Row and the entire Misbourne Valley to guarantee emergency medical access.

13.4 *Construction Noise, Dust and Vibration*

13.4.1 Your Petitioner is gravely concerned about the effect of noise, airborne pollution and vibration during the 7 to 8 years construction period. Breathing conditions such as asthma are greatly exacerbated by dust and emissions from vehicles. The proximity of many residents to work compounds, stock piles of construction materials and heavy vehicles with increases in levels of dust, CO2 and other pollutants is a grave concern.

13.4.2 Your Petitioner requests that mitigation measures are put in place and an effective process to monitor noise, pollution and vibration. Such monitoring must be incorporated into the Construction Code of Practice and independent of HS2 Limited and all contractors. An independent arbitrator must be appointed fully funded by HS2 Limited and available to residents on a 24 hour a day and 7 days a week basis. The arbitrator must have the authority to implement a cessation of all work if agreed levels are breached.

13.5 *Access to Local Services*

13.5.1 Your Petitioner is concerned that road closures and diversions at South Heath and Leather Lane and increased traffic congestion in the area will greatly increase journey times to Great Missenden, Amersham, Chesham and Wendover which are accessed by residents on a daily basis for facilities such as the schools, shops, railway station, medical appointments, commuting, workplace etc..

13.5.2. Your Petitioner requests that there is a cessation of work each day during the

period Monday to Friday between the hours of 07.00 and 09.00 and after 16.00.

13.6 *Crime*

13.6.1 Your Petitioner is gravely concerned that the local construction compounds will be occupied by significant numbers of transitory workers over a 7 to 8 year period. This potentially represents a great risk to residents from petty crime, motoring incidents and anti-social behaviour. The evidence from the construction of HS1 is that this was a major problem.

13.6.2. Your Petitioner requests that Great Missenden Police Station be staffed and open to deal with issues related to these construction compounds on a 24 hour a day, seven day a week basis.

13.7 *Public Rights of Way*

13.7.1 Your Petitioner objects to the Bill because of the temporary closure of footpath GM 1/12 and GM1/13. Your Petitioner uses this on a daily basis for both recreational purposes and for access to the village of Great Missenden. Closure will result in a 10 minute walk to the village across fields becoming a 45 minute walk along the proposed Construction Route.

13.7.2. Your Petitioner requests that that the Public Rights of Way (GM1/12 and GM1/13) are not closed for any period of time. If the rights of way are to be diverted then a right of way to Great Missenden village must be provided and open at all times.

13.8 *Visual Effects*

13.8.1. Your Petitioner is concerned that he will be subject to significant adverse visual effects both during construction and operation of the proposed scheme particularly on the local footpaths which he uses very regularly.

13.8.2. Your Petitioner submits that the Promoters should extend the current bored tunnel from Mantles Wood to the end of the Chilterns Area of Outstanding Natural Beauty using the "CRAG T2" tunnel or similar alternative full bored tunnel proposals..

13.9 *South Heath Green Tunnel*

13.9.1 Your Petitioner is concerned that the South Heath Green Tunnel whilst providing some protection for the residents of South Heath has a significant detrimental effect on the residents of Potter Row. In particular the cuttings are shallower and the trace of the railway is closer to the resident's properties.

13.9.2 Your Petitioner requests that the depth of the cuttings is increased to the levels proposed prior to January 2012.

13.10 *Property Blight*

13.10.1 Your Petitioner is concerned that all residents in Potter Row are experiencing significant property blight and many are now trapped in unsellable houses.

13.10.2 Your Petitioner submits that the proposed compensation provisions in relation to property that is not compulsory acquired are not sufficient to compensate persons affected adequately for the loss of their property's value and damage they may incur as a result of construction and operation of the high speed railway and associated development.

13.10.3 Your Petitioner requests that the Bill should be amended to ensure that persons outside of the safeguarding area who are injuriously or adversely affected by loss of value of their property should be entitled to claim compensation for the loss in value of such property.

13.11 *Support for Other Petitions*

13.11.1 Your Petitioner supports the Petitions submitted by other parties for the "CRAG" tunnel and the CDC Tunnel which are both a fully bored tunnels for the remaining length of the Chilterns Area of Outstanding Natural Beauty which would otherwise would remain on the surface under the Proposed Route.

13.11.2 Your Petitioner supports the Petitions submitted by other parties for an extension to the fully bored tunnel from Mantles Wood to Leather Lane.

13.11.3 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and his rights, interests and property and for which no adequate provision is made to protect your Petitioner.

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.

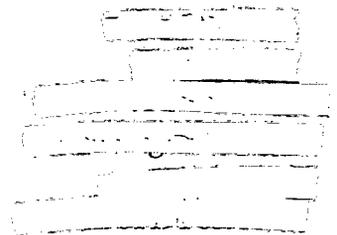
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