

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION

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 TWYFORD PAROCHIAL CHURCH 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 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 Petitioners are the members of the Parochial Church Council (PCC) of the parish of Twyford in Buckinghamshire. The parish of Twyford includes the adjacent villages of Poundon and Charndon. The members of the Parochial Church Council are elected annually by those on the Church Electoral Roll. The members are all volunteers and their duties are defined by two Acts of Parliament. The Parochial Church Council is responsible for fundraising, the financial affairs of the church and the care and maintenance of the church fabric and its contents.
- 8 Twyford Parochial Church Council (the "Petitioner") is petitioning on behalf of the Grade I listed Church of the Assumption of the Blessed Virgin Mary, Twyford (the "Property"). Twyford village is situated in open countryside between the towns of Bicester and Buckingham. The village has little through traffic and low ambient noise. The Property is situated at the end of Church Street, which is a cul de sac. The Property is of significant historic importance dating back to before the year 1200. Due to the Property's age it is without foundations. This Property and associated land will be injuriously affected by the provisions of the Bill. The Property is identified in the Environmental Statement that accompanies the Bill ("the ES") as being permanently affected by the operation of Phase One of HS2.
- 9 Your Petitioners' rights, interests and property will be injuriously affected by the provisions of the Bill, and your petitioner accordingly objects thereto for the reasons, amongst others, hereinafter appearing.
- 10 Your Petitioner is petitioning against the Bill to design, build and operate a high speed railway line for two reasons:

- *Increase in the levels of sound pollution
- *Disruption caused by construction

First Petition - Increase in sound pollution

The proposed HS2 railway line will be situated approximately 300 metres from the Property. According to the published results of the baseline sound survey carried out in September 2012 and using the data from Appendix SV-004-013, at noise receptor ID 288518 daytime noise level from the railway will increase by 3dB. This shows readings of approximately 50dB for the daytime. It is further recorded that this will have an adverse effect.

The World Health Organisation (WHO) regards 50dB day time noise level as the level that should not be exceeded to protect the majority of people from being moderately annoyed during the daytime. It also says that to protect the majority of people from being seriously annoyed, the day time level should not exceed 55dB.

The WHO says that most countries in Europe have adopted 40dB as the maximum allowable for new developments whenever feasible.

The increase in noise will have detrimental effect to the congregation attendance of the Property and its physical structure due to vibration.

Second Petition - Disruption caused by construction

The notable disruption that will be caused to the road network by construction traffic is of major concern. If existing roads are closed and diversions implemented, parishioners from the villages of Charndon and Poundon may consider attending other churches thus affecting congregation numbers and church income. This could

potentially affect the long term sustainability of the church and mean possible closure which would be devastating the community.

11 Your Petitioner respectfully suggests that the following remedies are implemented to alleviate the proposed high levels of noise, construction disruption and subsequent blight as follows. These measures taken as a package would improve the outcome for the Property from the proposed Bill.

- Move the line further away from the village of Twyford to the north. There is sufficient open farm land to allow such a diversion of the proposed route.
- Construction of a 'green tunnel' as the railway passes the village of Twyford, as an alternative to the proposed bund (which appears to offer little mitigation as currently proposed)
- Bring forward the timetable for the planting of any trees for screening (as included in the proposed scheme) so as to improve the chances of more effective noise and visual mitigation.
- Reduce the speed of the trains as they pass the village. Speed reduction will not only significantly reduce the noise but also allow greater route flexibility to avoid village blight.
- Increase the height of the bund to above the pantograph level. Although this will inevitably reduce the overall noise levels, your Petitioner notes that the level of the bund is not stated in the Environment Statement but it is assumed to be the same level as the sound wall at five metres above track level.
- Lower the track level. If the track level is lowered, and assuming that the bund is maintained at its proposed height, it will reach nearer to the pantograph level and hence be more effective at reducing noise.

12 Very high noise levels from the operation of HS2 are predicted for the residential properties in Twyford after the mitigation currently proposed by the Promoter. The Promoter or the Nominated Undertaker should, at a very early stage, seek to agree a specification for further, more effective mitigation against the noise impacts. The properties in Twyford are predicted to experience in-combination effects of significant visual and noise effects which, it is stated in the Environmental Statement, would have a major adverse effect. Current proposed mitigation of earthworks and noise barriers is not sufficient. The Promoter should undertake further mitigation in the form increasing the height of the bund to above the pantograph level to reduce the overall noise levels (as mentioned in point 11). This would be consistent with numerous Government statements of intent to minimize impact on communities and the environment. Your Petitioner proposes to your honourable House that the Promoter should be required to undertake that it will seek to agree with your petitioner a suitable specification for security and prevention of sound pollution from the construction of the proposed line.

13 Your Petitioner is very concerned at the depopulation of the Parish of Twyford, which has started already due to the blight from HS2. Many worshippers have confirmed they will vacate their homes and leave the village, drastically reducing the size of the congregation and the source of funds on which the Church of England depends for its ministry and for the upkeep of the Grade I listed parish Church. Fundraising is a fundamental responsibility of the Parochial Church Council and the loss of members of the Parochial Church Council and reduction in congregation inevitably results in a consequential crippling reduction in income. If this reduction in members means that those remaining are no longer sufficiently numerous to invest in the future of the Church, then the Church cannot continue to exist as a community organisation caring

for its members and preserving its place of worship. The closure of the Church then becomes a necessity. Closure is not a possibility that the Twyford Parochial Church Council has ever had to face until now, but it is a very real possibility and would leave a historic building of significant national importance essentially abandoned. Your Petitioner seeks an undertaking from the Promoter that an endowment covering minimum annual costs, index linked, will be provided to produce the alternative revenue to continue to maintain the Church building as a monument in perpetuity and for the ministry to continue.

- 14 The Grade I listed Church of the Assumption of the Blessed Virgin Mary, Twyford has been identified as a building of great national significance. It is listed in Simon Jenkins book; *England's Thousand Best Churches*. The 15th century door has original hinges set in a significant and well preserved Norman arch. The dado of an original rood screen survives and the pews are of medieval carpentry. The south aisle houses a large Purbeck marble alter tomb of Thomas Giffard (d.1550) and wife with his brass laying on top. The Property, due to its historic age, does not have meaningful foundations. Your Petitioner proposes that the Promoter should pay for an independent and suitably qualified historic buildings expert to survey the building and make recommendations for any further mitigation or repair that may be necessary. The cost of implementing any recommendations from the independent experts must be borne by the Promoter who must also establish a long term locally held fund to pay for any future repair work necessitated by the use of the line..
- 15 The Environmental Statement predicts that the Church of the Assumption of the Blessed Virgin Mary, Twyford will have its setting permanently changed by the movement of trains and the associated increase in noise. The Promoter or the Nominated Undertaker should, at a very early stage, seek to agree a specification for further, more effective mitigation against the impacts to this unique historic asset and its setting, in order to safeguard it for future generations The lack of foundations means the Property will be injuriously affected by the construction of the line and the noise levels, vibrations from the trains thereafter. Your petitioner proposes that the Promoter should pay for whatever is necessary to improve and maintain the foundational security of the building to safeguard the setting of the Property for future generations.
- 16 Your Petitioner has set out in the preceding paragraphs numerous harms that would befall the residents, the church congregation, members of the Parochial Church Council, visitors of the Property and the environment were the scheme to be constructed as proposed currently by the Promoter. Although these harms might be moderated to a degree by the undertakings sought herein from the promoter, they would be alleviated further by moving the proposed line further away from the village of Twyford.
- 17 For the foregoing and connected reasons your Petitioner respectfully submit that, unless the Bill is amended as proposed above, so far affecting your petitioner should not be allowed to pass into law.
- 18 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.

YOUR PETITIONER 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 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 petitioners will ever pray, &c.

Signature of Parochial Church Council vice chairman

