

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 JOLYON WILLIAM BROWN, FREEHOLDER OF 17 WERNER TERRACE, CALVERT, BUCKINGHAMSHIRE MK18 2HQ

SHEWETH as follows:-

- 1 A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House intitled “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 is Jolyon William Brown, Freeholder, of 17 Werner Terrace, Calvert, Buckinghamshire, MK18 2HQ, hereinafter referred to as 'Your Petitioner'.

The area in which Your Petitioner resides will be injuriously affected by the provisions of the Bill, and Your Petitioner accordingly objects thereto for reasons, amongst others, hereinafter appearing.

Your Petitioner's property is close to the actual line of the railway but is not impacted by Scheduled Works that appear in Schedule 1 of the Bill. Scheduled Works 2/80 and 2/80A are across the road; Work 2/80 terminates approximately 130 metres away from the property, therefore under Standing Orders is not referred to in the Bill or the Notice. Nonetheless the Petitioner will be seriously and directly affected by the developments proposed in the Bill.

Your Petitioner's home in the hamlet of Calvert within the Parish of Charndon is located in a quiet rural setting. All properties within Calvert are approximately 112m to 140m away from the proposed High Speed Line.

Werner Terrace is situated on School Hill to Brackley Lane, a road identified in the Environmental Statement as suffering significant adverse effects from the volume of traffic proposed during construction. Therefore the Petitioner is directly affected.

Calvert is a hamlet formed circa 1900 to provide homes for the newly opened Calvert Brickworks employees. All that remains now is Werner Terrace, comprising 19 properties in blocks of three, built c 1904, on slate, with no foundation, on Oxford clay. They are not constructed to withstand either the volume of heavy goods traffic or the vibration it will cause.

Your Petitioner is outwith the compensation zone and cannot claim compensation until after the high speed line has been operational for one year. No survey has been undertaken by HS2 Ltd. to assure residents of

Werner Terrace that our properties are robust enough to withstand the vibration.

Your Petitioner is deeply worried about the noise generated by the sheer volume of traffic, and about the safety of using the footways or crossing the roadway, especially in relation to my young children.

School Hill to Brackley Lane is directly in front of Werner Terrace and is in constant use by residents who park there because insufficient parking is available at the rear of the properties, reducing the carriageway to single file. This road will be used by heavy vehicles bringing plant and materials to the proposed satellite construction compound. Your Petitioner will suffer not only from the volume of traffic but from the congestion, fumes, vibration, noise, and personal danger such traffic will bring.

All the houses in Werner Terrace have a right of way to the rear access, off Brackley Lane, for parking, fuel deliveries, tradesmen and utilities. The public is also free to use this area, as a bridleway runs through it.

The Petitioner's property, and all others in Calvert, are not connected to main's gas and so all fuel, oil, bottled gas, coal and wood, is delivered to the rear of the properties. All drainage and water supplies are located at the rear of these properties and it is the access link to a valuable, safe, open space for leisure activities for all residents of both Werner Terrace and the West side of Brackley Lane.

This area is marked as safeguarded on the Environmental Statement and HS2 Ltd. has stated, verbally, that the safeguarding is only in place to cover access to any work they may require to undertake concerning utilities.

Your Petitioner's quality of life will be severely affected during the construction of the High Speed line, the Satellite depot and the proposed FCC Ltd. siding relocation and the Infrastructure Maintenance Depot. Your Petitioner is also concerned about how local services will be strained by the arrival of large numbers of construction workers into such a rural area.

Your Petitioner is concerned that the local standard of infrastructure, in particular the extremely poor state of School Hill to Brackley Lane, will buckle under the strain of coping with such great number of construction vehicles and heavy plant.

Calvert does not have high speed broadband and will not get this until after the construction of High Speed Rail is completed, in approximately 8 years time. Your Petitioner is aware that the depots will have access to high speed broadband for their day to day working from the outset, whilst Your Petitioner will not.

All services for Calvert residents are to the East of the proposed HS2 line in the village of Steeple Claydon and the town of Buckingham. Your Petitioner believes the cumulative effects on the area in the proposed Bill will have a direct and detrimental impact on the health and well-being of my family, in addition to a financial cost due to longer travel distances and cost of fuel.

Your Petitioner's property looks directly on to, and is a few metres from, the Beds, Bucks, Oxon Wildlife Trust (BBOWT) Jubilee nature reserve. It has an abundance of flora and fauna, and is home to some of the very rarest species in the UK, whose outlook is bleak since HS2 will cut across its eastern side, with the proposed major construction depot/IMD running along its north western edge. Wildfowl overwinter here, and it is home to bittern, nightingales and turtledoves among other important species. Your Petitioner's loss of access to such wonderful reserve will affect Your Petitioner's right to enjoy where he and his family live. It is one of the reasons Your Petitioner moved to Calvert.

A railway station was constructed in 1898 at Calvert, long since demolished, and this line is currently used solely for the delivery of material to the FCC landfill site. The line is to be re-opened as the East/West rail spur, to be increased in width to accommodate HS2. The site of Calvert Railway Station is now a valuable Local Wildlife Site, but it will vanish under a proposed temporary (six years) satellite construction depot, a proposed permanent re-siting of the FCC Ltd. offloading siding and gantry, with associated new access road, and a temporary materials store.

Your Petitioner and his family will be directly affected by the heavy traffic to the proposed satellite depot, with its associated noise, dust and vibration, and also from the operation of the FCC Ltd. new siding with subsequent increase in noise, smell and deterioration in air quality as a result of the increased industry associated with both developments so close to Your Petitioner's home. Your Petitioner is particularly concerned about the effect this may have on his family's health.

8 HS2 impacts on Your Petitioner:

Your Petitioner had identified areas of the proposed Bill which will have immediate and directly associated effects for the Petitioner, on which this Petition is based:

- Compensation
- Cumulative impact on Your petitioner
- The re-siting of the FCC Ltd. landfill site offloading siding immediately adjacent to Calvert hamlet on Calvert Railway Station (LWS).
- The siting of a large satellite depot adjacent to Calvert hamlet on Calvert Railway Station (LWS)
- Materials store on Calvert Railway Station (LWS)
- The Infrastructure Maintenance Depot

- Waste and the use of agricultural land at Shepherd's Furze Farm for deposit of 1.2 million tons of excavated waste
- The safeguarding by HS2 Ltd of FCC Ltd's. new access road from the A41 including other safeguarded local roads
- Ecology
- Noise and Vibration
- Air quality
- Hydrology
- Code of Construction Practice
- Limits of Deviation
- Transport

8.1 **Compensation:** Your Petitioner submits that the compensation provisions in relation to property that is not compulsorily acquired and other matters are not sufficient to compensate Your Petitioner adequately for the loss and damage he may incur as a result of construction and operation of the high speed railway and associated development.

- i. Your Petitioner requests that the Bill should be amended to ensure Your Petitioner and other Persons outside the safeguarding area who are injuriously affected and adversely affected by loss of value should be entitled to claim compensation. This should take into account the cumulative impact on your Petitioner and her community.

8.2 **Cumulative impact on Your Petitioner:** Your petitioner outlines many impacts of the High Speed Rail project on his family in this petition. Whilst each impact has a significant detrimental effect on Your Petitioner, it is the overall cumulative effect of these impacts that places the intolerable burden on Your Petitioner.

- i. Your Petitioner requests what the cumulative effect of noise, vibration, light, visual impact, air quality and odour for the combined HS2, FCC Ltd. and IMD impact will be on the Petitioner over a 24 hour period, working week and weekend as none of these issues can be taken in isolation but must be taken as a whole. HS2 Ltd. has not published cumulative impact data for Calvert at the time of this petition.
- ii. Your Petitioner submits that HS2 Ltd's. position to only consider the high speed line as its area of responsibility is deeply flawed. The cumulative impact must be the measure for all mitigation in Your Petitioner's community.

8.3 **FCC Ltd siding Relocation:** Currently the FCC Ltd. siding is in a fixed position to the east of Calvert on the west side of the existing tracks, i.e., on

the same side of the tracks as the landfill site. Waste trains are unloaded via gantry cranes and transferred to heavy plant vehicles. The trains are either moved by engine or by winch (depending on the time of day).

FCC Ltd. is currently in the process of moving its whole operation eastwards, away from Calvert and Calvert Green and wishes the offloading siding to be relocated close the new area of operation and to the Energy from Waste (EfW) incinerator that is currently under construction. Work has already begun on the construction of an access road from the A41 at Woodham to the south-east of the FCC landfill site to facilitate the EFW incinerator. Brackley lane will no longer be used by FCC customers to deliver waste to the site once the access road is complete. Local residents will cease to experience the noise and dirt of waste lorries attending the FCC site.

HS2 Ltd proposes relocation of the existing operation westwards along the line, abutting the planned satellite compound at School Hill on the Calvert Railway Station (LWS). The area by Calvert bridge, where the LWS is situated, is proposed to double the current three tracks to at least six rail tracks – two for HS2, two for East West Rail (EWR) and two for the FCC Ltd. landfill siding operation.

The proposed site that HS2 has identified for relocating the FCC Ltd siding and gantry is on the opposite side of all the tracks, HS2, East/West rail and the landfill site itself.

Due to the limited space in the proposed new location, a high rolling gantry is proposed. In order for FCC Ltd to service the operation it will be necessary to construct a road bridge from the landfill site over the HS2 and EWR tracks. This will lead to much increased noise levels, visual impact, high levels of odour pollution and significant reduction in the quality of life for Your Petitioner and the community.

FCC Ltd management has also acknowledged that if the siding operation is sited at the new location it will cause major disruption for Calvert residents. FCC Ltd. management has also confirmed to Charndon Parish Council and Calvert Green Parish Council that they have land available to relocate the existing siding nearer to the new EfW facility.

At the time of Petitioning, HS2 Ltd has confirmed to FCC Ltd. that it is not its intention to resite the siding closer to the EfW. This is in line with its statement to the local Parish Councils at the final CFA13 meeting where HS2 Ltd. representatives told local residents and their representatives that they had considered their proposals for the re-siting of the siding, along with the potential to widen the tunnel to the IMD and improved mitigation measures for noise, traffic and light pollution, but were not going to adopt any of them.

Your Petitioner is aware that any relocation of the sidings will have a

deleterious impact on the rare bat populations, and faces a dilemma balancing their protection over the health and well-being of his family.

Your Petitioner is also aware that North Bucks Bat Group and BBOWT are proposing that HS2 Ltd. run the tracks from Quainton to Calvert in a tunnel. HS2 Ltd. is, Your Petitioner is informed, only considering a tunnel from Quainton to Sheephouse Wood.

- i. Your Petitioner supports the proposal to run the tunnel to Calvert, and in addition would Petition that any tunnel be extended to run as far as the Infrastructure Maintenance Depot (IMD) which would go some way to mitigating the cumulative effect on Calvert of the long term blight Your Petitioner and the hamlet of Calvert would suffer as a consequence of HS2.
- ii. Your Petitioner wishes to Petition that all efforts are made by HS2 Ltd. to work with FCC Ltd., and both Calvert Green and Charndon Parish Councils, to find alternative locations that afford protection to residents of the above Parishes, convenience and suitability to FCC Ltd. and a safer habitat for the bats protection as possible.

8.4 Satellite Maintenance Compound Calvert Railway Station (LWS): Your Petitioner questions the necessity for a separate satellite maintenance compound in Calvert; particularly being in such close proximity to the main IMD (less than one kilometre). According to the HS2 Environmental Statement (ES), the deployment of this satellite compound has increased from a duration of two years employing 60 workers, to one that is scheduled to last over seven years and support up to 190 workers.

Your Petitioner has been led to believe from HS2 Ltd. that they and Network Rail are in discussion concerning a potential tunnel from the IMD under the EWR line to enable access to the Eastbound HS2 line. It is Your Petitioner's understanding, following Parish Council representatives discussion with an HS2 engineer, that if such a tunnel were to be constructed and made slightly bigger, it could be used for moving construction materials from the IMD for eastbound HS2 construction, removing the necessity for such a large and intrusive satellite depot at Calvert. This proposal would also remove the need to acquire the access and land to the rear of Werner Terrace and the West side of Brackley Lane. This tunnel construction could be carried out prior to EWR operation.

- i. Your Petitioner wishes to Petition for a tunnel under EWR for access between the IMD and the eastbound HS2 line; thus removing the requirement for a satellite compound in Calvert.

8.5 Materials store at Calvert Railway Station (LWS): With reference to 8.4,

Your Petitioner understands that the need for a materials store will be obviated because materials can be accommodated on the large IMD site, and transported through the tunnel under EWR during construction.

- i. Your Petitioner wishes to Petition that this solution be taken into consideration by HS2 Ltd.

8.6 Infrastructure Maintenance Depot (IMD): Your Petitioner has already identified that no mitigation is proposed on the Calvert side of the IMD. As the church bells at Steeple Claydon can currently be heard in Calvert and Calvert Green, it is quite clear residents will be subjected to significant and highly disruptive noise and light pollution levels from the IMD in any 24 hour period. Currently the only noise at night comes from the birds at Calvert Jubilee Nature Reserve – which is entirely natural and one of the pleasures enjoyed by Your Petitioner and his family.

Your Petitioner resides in an area benefiting from a minimum of light pollution, and neither Your Petitioner, his family, nor the area's flora and fauna should be subject to the dramatic alteration of that state that will occur during the construction and running of HS2.

- i. Your Petitioner wishes to Petition that HS2 Ltd. provide the maximum mitigation to the entire IMD site, and does not exclude that part of its site backing on to the Jubilee Nature Reserve, Jubilee Lake and thence to Calvert hamlet.

8.7 Waste and the use of agricultural land at Shepherd's Furze Farm for deposit of 1.2 million tons of excavated waste: Your Petitioner is concerned that the impact on Calvert of the amount of waste to be excavated and removed from the construction of the high speed railway has been underestimated and the environmental impacts of removal and disposal of such waste has been needlessly worsened because of the primacy (in UK and EU law) of the requirement to seek to avoid disposal of waste and comply with the principles of the waste hierarchy has been ignored by HS2 Ltd.

Your petitioner is concerned that the forecasts provided for each Community Forum Area for amounts of waste to be excavated and removed from that area appear to be contradictory and take insufficient account of local authority planning policies.

Your Petitioner is concerned that he and his family will be blighted, visually and by noise from the offloading of trains and HGVs, by the proposed deposit of 1.2 million tonnes of excavated waste on a field slightly north east of the hamlet to the left of School Hill. This seems an extraordinary proposal, given that the FCC Ltd. landfill site is such a short distance away and can easily accommodate the spoil.

- i. Your Petitioner requests that HS2 Ltd. utilises excavated waste for bunding and mitigation or other earthworks. If no other solution is to be found then safe disposal within existing landfill facilities should be exercised.
- ii. Your Petitioner requests that: HS2 Ltd. be required to comply with the requirements of the Waste Framework Directive and review its decisions on treatment of waste to ensure compliance with the waste hierarchy as detailed in that Directive. Such a review should include publishing details of the "integrated design approach" to waste management and subject to consultation to enable effective public participation on this issue.

8.8 Safeguarding by HS2 Ltd. of FCC Ltd's new access road from the A41 including other safeguarded local roads: Your Petitioner is greatly concerned that the new FCC Ltd. access road will be used by HS2 Ltd. for heavy construction traffic. The exit for this road is in Brackley Lane, Calvert and if used would cause further blight to Calvert and Calvert Green residents, through noise, vibration and intolerable additional traffic. HS2 Ltd. state that only minimal usage will be required to transport transformer equipment. Your Petitioner is concerned by a safeguarded area behind Werner Terrace for reasons of property access and children's safety.

- i. Your Petitioner requests that HS2 Ltd. confirm that it will not use the landfill access road for anything other than the transportation of the transformer equipment.
- ii. Your Petitioner seeks assurance that the safeguarding of the area behind Werner Terrace and Brackley Lane, Calvert will be removed.

8.9 Ecology: Calvert Railway Station (LWS) will be affected by the construction of the Calvert cutting and proposed satellite compound, FCC Ltd. offloading siding and materials store. The ES states this will result in the permanent loss of habitats at this site. Your Petitioner is concerned about the adverse impacts of the construction and operation of the high speed and associated development on flora and fauna. Your Petitioner submits that there should be binding mitigation measures to reduce the adverse impacts on ecology including, but not limited to avoiding ancient woodland, migration routes for wildlife across construction sites and the operational high speed railway and associated development, and compensatory measures to offset habitat loss and other damage to species.

- i. Your Petitioner requests that in accordance with the House of Commons Environmental Audit Committee Report date 2nd April 2014, a process should be established to monitor all aspects of

environmental protection needed for 60 years following the start of construction and operation of the railway, including biodiversity mitigations and compensation off-set. This process must be managed by an independent body, which monitors and publicly reports progress against the “no net biodiversity loss” objective. A detailed costing should also be established for monitoring and reporting and for the environmental protection being overseen, and ring-fence these environmental protections and a separate budget for these purposes.

- ii. Your Petitioner requests that other recommendations in the House of Commons Environmental Audit Committee Report dated 2 April 2014 are also followed including but not limited to revising the environmental statement to distinguish clearly between mitigation and compensation measures in respect of biodiversity, carry out outstanding environmental surveying as soon as possible, weighting metrics for biodiversity offsetting towards production of biodiversity gains and taking explicit account of communities’ wellbeing, adjusting metrics to encompass the precautionary principle, treatment of ancient woodlands should be separate from the overall biodiversity net loss calculation, re-examining scope for off-site biodiversity compensation, research on alternative discount factors for the off-setting metric.

8.10 Noise and Vibration: Your petitioner has concerns with regard to matters of noise and vibration caused by the construction and operation of the high speed railway. Your petitioner is concerned as there appears to be no mechanism in the Bill to deliver a properly noise mitigated railway.

Your petitioner is concerned that the fundamental calculations needed for forecasting noise impacts, known as the Lowest Observed Adverse Effect Level (LOAEL) and Significant Observed Adverse Effect Level (SOAEL) have not been correctly identified and were set too high in the Environmental Statement, leading to material underestimation of the adverse noise and significant adverse noise impacts likely to arise from the high speed railway.

Your petitioner is concerned that the thresholds adopted in the Environmental Statement for noise limits were set above what the World Health Organisation considers acceptable. Your petitioner considers this issue is likely to become more pressing given the moves by the World Health Organisation to set new lower targets on the basis of the latest medical research on the impact of noise on human health.

Your petitioner is concerned that the specific impacts of ground borne noise and vibration have not been properly considered or explained to impacted communities and the limit for ground borne noise does not reflect recent or practice or experience and the methodology used for predicting the impact of ground borne noise is insufficiently robust and no amelioration measures have been suggested to deal with this problem.

Your petitioner therefore requests:

- i. HS2 Ltd. be instructed to issue revised noise thresholds covering the LOAEL and SOAEL for noise exposure, in rural and urban areas and during the day and at night-time which reflect World Health Organisation guidelines including World Health Organisation guidelines on peak noise (60db max pass-by outside, giving 45db inside).
- ii. HS2 Ltd. be required to set noise limits for construction which are in line with World Health Organisation limits and local authorities be provided with enforcement powers to order the cessation of construction activities in the event such anticipated exposures are breached.
- iii. HS2 Ltd. be obliged to commit to designing the high speed railway to operate in such manner that the revised noise exposures are not breached.
- iv. A binding requirement included in the Bill for noise monitoring with obligations on HS2 Ltd. to introduce additional mitigation measures, including reduction in train speeds, in the event forecast noise levels are exceeded.
- v. HS2 Ltd. be required to commit to the same threshold for ground borne noise as the Northern Line Extension- meaning ground borne noise levels no greater than 25dB LpAsmax for rural areas and 30dB LpAsmax for urban areas.
- vi. Your Petitioner is concerned that Clause 35 of the Bill and Schedule 25 provide that appeals against notices or against failure to give consent or the giving of qualified consent under the Control of Pollution Act 1974, section 60 (control of noise) and section 61 (prior consent for work on construction sites) may be referred to the Secretary of State or arbitration. Your Petitioner is also concerned that Schedule 25 would provide a defence to statutory nuisance for the nominated undertaker.
- vii. Your Petitioner requests that Clause 35 and schedule 25 are deleted from the Bill.
- viii. Your Petitioner requests that a vibration assessment for our parish be carried out as per commitment by HS2 Ltd. during a site visit.

8.11 **Air Quality:** Your Petitioner is concerned about the potential cumulative adverse impacts on air quality as a result of the construction and operation of the high speed railway line, IMD, construction traffic, associated development and HS2 Ltd. proposed relocation of the FCC Ltd. siding operation.

- i. Your Petitioner requests that before construction there should be an air quality base line monitoring study benchmarked against the Air Quality Standards Regulations 2010 and a copy of this report should be made public. Your petitioner submits that thresholds for air quality

and an air quality mitigation plan should be produced for each Community Forum Area, to apply both during construction and operation of HS2.

- ii. Your Petitioner requests that the local authority should be provided with powers to monitor air quality in accordance with binding mitigation plans and in the event air quality thresholds are breached, your Petitioner submits that the Bill should be amended to enable the local authority to require the cessation of construction activities until such point as air quality thresholds are complied with.

8.12 Hydrology: Your Petitioner is concerned about the danger of water pollution arising from the construction and operation of the proposed high speed railway and associated development and the run-off into surrounding watercourses, as well as the expected flow rates or impact on surrounding transport links.

- i. Your Petitioner requests that further work is required by HS2 Ltd. to ensure that leachate and other contaminants do not enter the water course or impact wildlife and health. The ES does not go far enough to ensure this; particularly with engineering works so close to an active (and historic) landfill site.
- ii. Your Petitioner requests that throughout construction there should be sampling of surface water at different locations surrounding each construction site and these samples should be independently tested at a United Kingdom accreditation service laboratory. The results from the sampling should be shared with the Environment Agency and the relevant local authority. The results should be benchmarked against accepted water quality levels.
- iii. Your Petitioner is concerned that the Hybrid Bill seeks to undermine long standing and important legal safeguards concerning the safety of drinking water. Your Petitioner requests that Clause 31 and schedule 20, which override key legal safeguards that protect public water supplies be deleted from the Hybrid Bill.

8.13 Code of Construction Practice (CoCP): Your Petitioner is concerned that the nominated undertaker's ongoing accountability is unspecified. The CoCP does not identify how any lead contractors will be made to comply, and the redress and appropriate action that might be taken in the event that the contractors do not comply with the CoCP. Assessment in the environmental statement is made on the assumption that the CoCP and the strategies will be fully effective; however, the CoCP has no legal status.

- i. Your Petitioner submits that the CoCP should be incorporated into the Bill. Parliament and not the nominated undertaker should be

accountable for the project. Any monitoring required under the CoCP should involve the relevant local authority as well as independent experts with effective oversight and redress arrangements in the event of non-compliance with the CoCP.

- ii. The standards set out in the ES and the CoCP is of "reasonableness" and "reasonable endeavours". Your Petitioner submits that this should be replaced by a higher standard, i.e. "best practical means" and the measures should be agreed with the relevant local authority. Measures should be subject to independent assessment verifiable and challengeable. This applies to noise as well as other effects that are to be addressed in the CoCP.

- 8.14 **Traffic:** It is estimated that there will be circa 3000 traffic movements per day during the high speed rail construction period through Charndon Parish in which Your Petitioner resides, with Werner Terrace, Calvert "significantly adversely affected" with construction vehicles travelling to the proposed satellite depot.

The Environmental Statement states there will be no additional traffic during construction in neighbouring areas and that there will be only minor adverse effects in Your Petitioner's local area. This is at odds with the statement that Calvert will be severely adversely affected.

- i. Your Petitioner requests that the traffic congestion, vibration, noise, dirt and dust will be greatly alleviated if the option to remove the Calvert satellite compound is adopted.

- 9 In light of the above, the Petitioner reserves the right to raise the above matters and any further matters of concern relating to the substance of the Bill and this Petition that may arise from continuing discussions, the preparation and publication of reports, any possible revisions that may be made to current work site proposals or any other matters relevant to our expressed concerns that may occur in due course and prior to your Petitioner's representation before the Select Committee.

- 10 Your Petitioner objects to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submit that the Bill should be amended or undertakings should be required so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works by considering their cumulative impacts on communities. And they need to suggest necessary changes from the results of that review before works design and construction strategies have been finalised or construction contractors employed. This should where appropriate include relocation of infrastructure and track and appropriate mitigation

- 11 For the foregoing and connected reasons Your Petitioner respectfully submits that, unless clauses of the Bill are removed or amended, the Bill should not be allowed to pass into law.

- 12 There are other clauses and provisions in the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and her rights, (including their human rights) interests and property and for which no adequate provision is made to protect Your Petitioner and other clauses and provisions necessary for her protection and benefit are omitted there from.

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 such of the clauses and provisions of the Bill as affect 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

SIGNED

IN PARLIAMENT
HOUSE OF COMMONS
SESSION [2013-14][2014-15] (as before)

HIGH SPEED RAIL
(LONDON-WEST MIDLANDS)
BILL

PETITION OF Jolyon William Brown

AGAINST, By Counsel, &c.