

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

P E T I T I O N

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 THE CAMPAIGN TO PROTECT RURAL ENGLAND  
WARWICKSHIRE BRANCH

SHEWETH as follows:-

1. A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House entitled “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 with 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 are specified in clauses 1 and 2 of and Schedules 1 and 2 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 and Schedules 2 and 3 to the Bill.
7. Your petitioners are the Warwickshire Branch of the Campaign to Protect Rural England (“CPRE Warwickshire”). CPRE Warwickshire was established in 1963, and was originally called the Council for the Preservation of Rural England. CPRE Warwickshire aims to protect and enhance the beauty, tranquillity and local distinctiveness of the countryside and to influence land use in town and country for people and nature. Its Memorandum and Articles of Association, as incorporated in 2001, give as its principal object to promote and encourage, for the benefit of the public, the improvement, protection and conservation of the English countryside and in particular that of the County of Warwickshire. The area of benefit includes the City of Birmingham (including Sutton Coldfield), the City of Coventry and the Borough of Solihull. The Borough of Solihull includes a significant part of the County of Warwickshire as it was before 1974.
8. CPRE Warwickshire in April 2014 has 894 members, of which 796 are individuals, 79 are Parish or Parish and Town Councils in Warwickshire, and 19 are affiliated local organisations.
9. Your Petitioners are specially and directly affected by the Bill proposals because the proposed high-speed railway would directly and severely harm the countryside of Warwickshire and Solihull, which it is their principal role to protect and conserve. The published plan would cross the county for 35 miles from the southeast to the north, entering at Wormleighton and leaving at Middleton. Between Kenilworth and Coleshill, it would cross the ‘Meriden Gap’ from southeast to northwest, entering it at Burton Green and leaving it south of Coleshill. The Meriden Gap is the narrow, 6-mile-wide Green Belt separating Birmingham and Coventry.
10. CPRE has developed maps which show the tranquillity of the whole country using a process which is now well-established. The most tranquil areas are depicted in green and the least tranquil in red. The proposed line would pass through some of the county’s most tranquil landscape between the Northamptonshire boundary at Wormleighton and Offchurch in the Leam Valley east of Leamington.
11. The Government’s HS2 plan is for a new, very high-speed, railway, on a new route. The engineering specification is exacting. To be capable of 400 km/h (250 mph) such a line must have very slight curves, and look almost straight to anyone walking in or enjoying the countryside. Such a specification makes an alignment that fits the Warwickshire landscape very difficult, if not impossible, to achieve. The alignment proposed would be unnatural, cutting through hills and rising and falling rather than curving around higher ground as do normal roads and railways. The electrification equipment would create a visual blot which could be as bad as the lighting columns along a lit motorway. The line would be studded with frequent cabins, electrical feed stations, and access tracks to these from local roads, more than on current electrified lines.

12. Your Petitioners submit that the effects of the route proposed for the high-speed line would be seriously damaging to the landscape character of the countryside through which it is proposed to be built. It would harm the tranquillity of the countryside in areas which are defined as tranquil now, indicated in paragraph 9 above.
13. Particular damage would be caused by the high level of noise produced by a high-speed train at the speeds proposed, because the potential frequency of 18 trains each way and their length (400 metres) could lead to intervals between trains no greater than 1 min 40 secs. The vibration from trains at the speeds proposed (up to 400 km/h or 250 mph) would be likely to be felt in their houses by those living close to the line. There is no established research on the levels and impacts of noise and vibration from trains operating at such a combination of high speed, frequency and length as is projected.
14. The location of much of the proposed line would be such that construction traffic by road would have a serious adverse impact, and rail could not be used because there is generally no existing railway close by which could be used to carry materials in a way that would minimise impact during the construction period.
15. The need for electric power supply from the National Grid would be likely to need more overhead electric supply lines, because of the high demand for electric power from the projected number and speed of trains using the line. That would have a further harmful effect on the countryside.
16. Your Petitioners consider that the form and design of the line would not reduce road traffic but because of its character would be likely to increase it. It would not contribute to the principles of sustainable transport. The line would not be integrated with the existing rail network but instead segregated from it, with separate railway stations except at London Euston. The station at Curzon Street, Birmingham would be separate from the main New Street station and require a walk of up to half-a-mile to change trains. The Birmingham Interchange station would be nearly 1 mile from the present Birmingham International station; it would not be a public transport interchange, but a parkway station with extensive car parking. The impact on the surrounding road system would be adverse in each case. The level of road-building required around Birmingham Interchange would be harmful to the character of the countryside east of the M42 motorway, and the openness of the Green Belt would be badly damaged.
17. Your Petitioners are also concerned that the high-speed line would not serve the City of Coventry at all, but instead bypass it to the south. The City of Coventry lies in the centre of Warwickshire and has a population (2011) of 317,000. 500,000 people in all live within 10 miles of the city centre of Coventry. The city's station is currently served by fast trains running at 200 km/h (125 mph) between London and Birmingham (3 trains per hour). The high-speed line would be associated with a reduction in the frequency and speed of the Coventry to London service. As the high-speed line will at the same time offer a faster journey to London from the proposed Birmingham Interchange station, road traffic to that location would be generated from Coventry, increasing environmental impacts.

18. These objections can in your Petitioners view be met by the following changes to the Bill.

- Firstly, the route of the high-speed line should be amended. Your Petitioners are convinced, and can show, that the purpose of the Bill would be better achieved by a different route between Euston in London and Handsacre in Staffordshire.
- Secondly, if the published route is not altered, the location of the proposed Birmingham Interchange station should be changed, and the form of the proposed Birmingham Curzon Street station be altered.
- Thirdly, if the published route is not altered, additional tunnelling and noise protection measures should be included at specific locations.

19. These changes sought to the Bill are set out in the following paragraphs.

*Route of the high-speed line*

20. Your Petitioners emphasise that Government policy on public participation on routes for transport infrastructure has not been followed for High Speed 2. Since July 1973, a clear policy has applied to the planning of new motorways and major roads. Under the policy 'Participation in Road Planning' issued then, and in force ever since, the public is required to be consulted about practicable alternative routes for road projects and their responses assessed before a preferred route is published, followed by formal statutory procedures.

21. This procedure was required for the planning of the high-speed railway between the Channel Tunnel and London (now High Speed 1). In 1988 practicable alternative routes were published and an extensive public participation process on alternatives was carried out. After several interim decisions a final route was arrived at. The Channel Tunnel Rail Link Bill was then introduced into Parliament by the then Secretary of State for Transport. This however did not take place until 1994, and only after general agreement had been reached by interested parties and affected local communities on the alignment. As a consequence the passage of that Bill to enactment in 1996 was relatively smooth from the viewpoints of those affected and local authorities.

22. The failure of the Secretary of State for Transport to require a similar process of public consultation on alternative routes for High Speed 2, and his issue instead of a single preferred route, has prevented effective examination of alternative routes before the Bill was introduced into the House of Commons. Your Petitioners submit that the House needs to examine practicable alternative routes submitted by Petitioners because, contrary to established policy as applied to the planning of High Speed 1, for High Speed 2 there was no consultation of the public and interested parties and local authorities on alternative routes at the non-statutory consultation stage.

23. Your Petitioners submit that the route of the high speed line between Euston in London and the junction with the West Coast Main Line at Handsacre, near Lichfield should use existing transport corridors to minimise environmental damage and reduce cost, without separate out-of-

town stations, and should serve key urban centres. The route shown in the Bill should be altered to one starting at Euston and finishing between Lichfield and Handsacre, incorporating a tunnel from Primrose Hill to West Hampstead; the use of the formation of the Hendon Lines of the Midland Main Line from West Hampstead to Mill Hill in North London; an alignment alongside the M1 motorway from Scratchwood (Mill Hill) to Crick in Northamptonshire; then alongside the Northampton Loop of the West Coast Main Line from Crick to Rugby, the Trent Valley section of the West Coast Main Line from Rugby to Coombe Fields east of Coventry, and the south side of the M6 motorway from Coombe Fields to M6 junction 4 south of Coleshill; and then the published Bill route from west of Coleshill to east of Lichfield, and finally a more direct alignment onto the West Coast Main Line between Lichfield and Handsacre than that proposed in the Bill.

24. This alignment would if desired include the spur from Water Orton to Curzon Street as shown in the Bill, but your Petitioners do not believe that a tunnel between Castle Bromwich and Washwood Heath in the Tame Valley is necessary. (Schedule 1, Work no 3/203 in Birmingham, Part of the formation of the existing Birmingham – Derby line at ground level can be used, as was originally intended.
25. This alignment can incorporate a spur from Crick to Glen Parva and Leicester alongside the M1 motorway, terminating at Leicester (London Road) station, so enabling further benefits to be achieved for the East Midlands, earlier than is possible with the published alignment. With the published alignment, Phase 2 of the high-speed line has to be constructed to give any benefit to the East Midlands region.
26. This revised alignment for the high-speed line would better achieve the described purpose of the Bill for the following reasons among others. It would have significantly lower environmental impact than the published route. It would cost less to construct because (inter alia) the requirement for tunnelling would be greatly reduced; it would be less costly to operate because the energy consumption would be reduced by the much shorter distance that trains would be travelling in tunnels (or alternatively be no slower in end to end journey times because trains would not be slowed by the proportion of the line in tunnel); and it would enable stations to be in urban centres instead of at out-of-centre locations. A lower maximum operating speed than the potential 400 km/h (250 mph) allowed for in the published route's design would make it simpler to achieve a suitable alignment, because the curve radii minima can be lower and the line better fitted to local features and constraints.
27. This revised alignment would also take significantly less time to construct and need not cause any delay to the anticipated opening date of the high-speed line of 2026. It has the further advantage that it can be constructed and brought into use in stages and need not be built all at once.
28. Drawings and costings can be provided by your Petitioners at the appropriate time.

### *Location of Birmingham Interchange*

29. The location of Birmingham Interchange should in your Petitioners' submission be at one or other of two locations: either at Hams Hall, east of Water Orton, or at the existing Birmingham International station.
30. The alternative location at Hams Hall proposed by your Petitioners would provide a station where both the Birmingham Derby Line and the Birmingham-Nuneaton-Leicester Line pass under the high-speed line as published in the Bill. (Schedule 1, Work Nos 3/35 and 3/36 in Parishes of Coleshill, Water Orton and Curdworth, Bill page 77.) An interchange station at this location would be a public transport interchange, because it would enable users to interchange with the services on two existing lines. By contrast no interchange with other rail services is possible at the published Birmingham Interchange location. Road access to a location at Hams Hall from M42 Junction 9 (M42/A446/A4091 at Curdworth) and from the A446 dual carriageway is available and with modifications would be suitable. The location has a partially 'brownfield' character being mainly within the perimeter of the extensive former Hams Hall power station complex, now largely in new industrial uses. Platforms on both the existing lines would be provided, maximising interchange.
31. The alternative location at Birmingham International station proposed by your Petitioners would be by means of a loop off the high-speed line with connections from both south and north, and use the space allowed at the existing station for additional platforms. (Schedule 1, Work no 3/1 in Parishes of Great Packington, Little Packington and Coleshill, Bill page 70.) This space is on the northeast side of the existing platforms. The alignment of the loop line would have a lower speed than the main high-speed line, but as all trains using it would be stopping at the new Interchange platforms the alignment does not need to be laid out for high speed. The loop line would cross under or over the M42 south of Junction 5 (M42/A45), pass under the A45, run through the new platforms, then through the Elmdon Trading Estate requiring some relocation of industrial buildings. It would pass along the western edge of Birmingham Business Park where there is a corridor of undeveloped land, and rejoin the high-speed line where it bridges the M6 west of M6 junction 4. This alternative location would enable convenient interchange with other trains at Birmingham International, with buses, and with the existing people-mover to Birmingham Airport, and would require no new green-field land for car parking.
32. Either of these two alternative locations would remove the very grave danger of urban development in the Meriden Gap which the published Birmingham Interchange would bring. The Green Belt east of the existing M42 is undamaged by major development at present; the published Birmingham Interchange would bring development with it, as is demonstrated by the 'UK Central' development proposals for land in the Green Belt adjacent to the station site proposed in the Bill. These proposals are being publicly advanced by Solihull Metropolitan Borough Council and the Greater Birmingham & Solihull Local Enterprise Partnership.

### *Birmingham Curzon Street Station*

33. The proposed station at Curzon Street as published has only terminal platforms for high-speed trains. (Schedule 1, Work no 3/205 in City of Birmingham, page 90 in Bill). It has no interchange with the majority of services in the Birmingham area which start from, terminate at or run through New Street station. New Street station despite upper-level rebuilding is too small a site to be enlarged or run efficiently in the long term. The Curzon Street station should be revised in design to include platforms for through services on the lines running out of New Street to the east and should be revised in the Bill to become a major main-line station for Birmingham. Such a proposal for a larger and better station at Curzon Street than that proposed in the Bill has been made in the recent past (in 2007 by Arup). Plans therefore exist which can be drawn on and developed further.

### *Additional tunnelling and mitigation*

34. If the alignment of the high-speed line through Warwickshire is to be constructed, the following amendments should be made to the Bill to meet essential needs to protect the countryside and remove or minimise noise at locations where this would bring benefits.

- The four-track section which provides emergency loops and service facilities between Wormleighton and Ladbroke should be deleted from the proposal. (Schedule 1, Work no 2/133, in Parishes of Stoneton and Ladbroke, Bill page 61.) This layout creates a widened railway in the area now shown to be among the most tranquil in Warwickshire
- A bored tunnel under Cubbington Wood of up to 1 km in length should be included to protect the valuable environment at that location. (Schedule 1, Work no 2/146, Parish of Cubbington, Bill page 63-64.) Cubbington Wood is Ancient Woodland. Ancient woodland is as stated by the Woodland Trust 'an irreplaceable national resource of great importance for its wildlife, soils, recreational uses, cultural value, history and the contribution it makes to our diverse landscapes'. It deserves full protection, which only a tunnel can provide if the route in the Bill is confirmed.
- A bored tunnel between Crackley, north of Kenilworth and a point southwest of Berkswell of 4-5 km in length should be included in place of the present largely surface alignment. (Schedule 1, Work no 2/146, Parishes of Kenilworth, Burton Green and Berkswell, Bill pages 64-64.) The topography allows a bored tunnel under the Burton Green Ridge. Placing the line in tunnel here would significantly reduce its impact in the very sensitive Meriden Gap Green Belt between Birmingham and Coventry, and remove the nuisance of noise and vibration from a significant number of houses in Burton Green and Berkswell Parish which will be adversely affected by the published route.
- A covered section of the line east of Middleton village, of 0.5 km, to preserve some of the rural setting of the village and avoid visual severance between the village and Middleton Hall. Middleton Hall is a carefully restored historic house, which is used for a range of community

purposes in the wider West Midlands. (Schedule 1, Parish of Middleton, Work no 3/48, Bill page 80.)

- A bored tunnel of 1.5 km at Hints, to protect the very fine landscape and setting of the village which is an unusually attractive landscape between Sutton Coldfield and Tamworth. This would be within Staffordshire, not in Warwickshire, but Hints is a local landscape used and enjoyed by people resident in the Sutton Coldfield which is within CPRE Warwickshire's area of benefit. (Schedule 1, Parish of Hints and other Parishes, Work no 3/48, Bill page 80.)

*Other issues*

35. Your Petitioners object to the proposed high-speed train maintenance depot at Washwood Heath in Birmingham. (Schedule 1, various Works in City of Birmingham, Bill pages 90-91.) This is a potential location for major employment development in Birmingham and is the largest brownfield site available. The consequence of the Bill proposal is that the current Birmingham Development Plan is unable to allocate this land for employment development to meet the City's needs, and is instead proposing major employment use on currently Green Belt land at Peddimore, 6 km further east and outside the built-up area in a much less sustainable location. The proposal to release Green Belt land for employment at Peddimore is a direct result of the Washwood Heath location being included in the Bill, and is very damaging to the Green Belt and thus to the interests of your Petitioners. The Washwood Heath location should be removed from the Bill, so that the land can be instead be allocated for the employment uses that the City Council wishes it to have; and so that the proposed Peddimore employment site in the Green Belt can be deleted from the Birmingham Development Plan.
36. An alternative location for the high-speed train maintenance depot can and should be sought. Your Petitioners would submit that locations in the West Midlands can be found which do not require land needed for employment policies of any Local Plan. Hams Hall is one potential location.
37. 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.
38. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended in the way described above, so far affecting your Petitioners, it should not be allowed to pass in to law.

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

AND your Petitioners will ever pray, &c.

Signe

Sir Andrew Watson

Chair

John Wharam

Company Secretary

Mark Sullivan

Technical Secretary

CPRE Warwickshire

21<sup>st</sup> May 2012

IN PARLIAMENT  
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PETITION

of

THE CAMPAIGN TO PROTECT RURAL ENGLAND

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AGAINST  
BY COUNSEL, &C

Campaign to Protect Rural England  
Warwickshire Branch

Warwick C