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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 RENZO AND ANNETTE MARCHINI

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 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 owners of a property in Delancey Street. They are both freeholder of the whole of number 54 Delancey Street and leaseholders of two of the three flats within it. One of your Petitioners has previously lived in the building (for [six] years) but since your Petitioners have married, she moved away. The two flats are used to supplement income as rental properties. However, when your Petitioners retire (within the next 10 years), and their son has left home, they plan to reside again at the property. Your Petitioners also hope that, should he choose to do so, that their son might live in the smaller of the two flats (for example, when a student).
8. Your Petitioner's property will not be demolished as a result of the Bill but it is located within 50 metres of the line and part of it (the vaults which are under Delancey Street) are subject to possible compulsory purchase. Your practitioners take their responsibilities as landlords seriously and those vaults are used for storage of various goods which are useful for maintaining the two flats.
9. Your Petitioners and their rights, interests and/or property are injuriously affected by the Bill, to which your Petitioner object for reasons amongst others, hereinafter appearing.

10. Delancey Street is probably less than 50m from the proposed HS2 route and is lined on both sides by early Victorian Grade 2 listed buildings and lies within a Conservation Area. The buildings have little or no foundations and there have been houses in the street that has already suffered from subsidence and required extensive underpinning work necessitating temporary rehousing. This illustrates how vulnerable the houses are. If Delancey Street is to be used, then HS2 needs to undertake to monitor all properties prior to construction and offer proper compensation to property owners for any repairs made necessary by vibration and excavation damage. In Delancey Street there are over 100 individual Grade 2 listed properties of which that owned by your Petitioners is one. Your Petitioners contend that disturbance of the cellars and vibration caused by the works will damage these fragile homes.

Moreover, that owned by your Petitioners is of importance as the poet Dylan Thomas lived there (there is a Blue Plaque commemorating this).

11. The Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to take 10 years to complete and will include lorry movements, the creation of dust and noise, poor air quality, and 24 hour working. This will inevitably lead to severe noise in the area. The two rental properties owned by your Petitioners are an important part of their income and will continue to do so as they go into retirement. The proposed works will make it increasingly difficult to rent the flats and your Petitioners livelihood may well be diminished as a result.

12. Camden is already at the upper limit of air pollution. Although HS2 argues that pollutants will be kept as low a level as reasonably practicable it is a qualification that makes any commitment on their part meaningless. Your Petitioners fear that pollutants will pose a genuine health risk to local residents. There are also many families with young children in the street and several schools in the area. Any increase in Pollution is unacceptable.

13. Your Petitioners have been told to expect an increase of 30% in traffic down the street. This is an enormous amount. Your Petitioners would like to ensure that there is no increase in heavy goods vehicles and that any vehicles that are used have zero emissions. Project materials should be confined to rail delivery.

14. In your Petitioners' view the list of works permitted outside the Core Hours is too broad and leaves scope for work to continue on a 24 hour basis. Clarification should be made which prohibits noise generating work close to residential areas (i.e. within

200m) outside the Core Hours and provision should be made for fines to be imposed if these hours are exceeded.

15. There will be sustained damage to the local area for 10 -15 years. The present compensation plans for Camden compared with those in rural areas are derisory. At present Delancey Street is a fairly busy thoroughfare but with secondary glazing the levels of noise are quite acceptable. It is a pleasant residential street - to claim urban dwellers are accustomed already to high levels of noise and dirt such that we will not notice the additional impact over years of HS2 construction is manifestly untrue and inaccurate. HS2 has shown no understanding of this area. Compensation should be assessed at the same level for the same loss wherever it occurs rural or urban. The disruption and destruction caused by HS2 over a 10 or more year period cannot be termed 'temporary'.
16. There are many different plans for Euston Station which have not been fully investigated. Your Petitioners have been alarmed by the suggestion that much of the spare land will be used for development in order to help finance the project. This so called 'land grab' of '35 acres' includes the loss of green areas, the destruction of a cemetery with up to 50,000 bodies (St James Church Yard) and many local amenities.
17. Your Petitioners are also concerned about the alteration to their social fabric. This area is densely populated and multicultural. It contains both social and non-social housing and many small businesses. It has taken generations to develop this harmonious and successful community. Your Petitioners object strongly to the description of the area by Sir David Higgins as "a deprived neighbourhood needing regeneration". This is blatantly untrue. Now it is proposed to drive an additional enormous train track through it which will not even fulfil the aim of the initial project i.e. to connect the North of England with HS1 and the rest of Europe. All of the disruption, noise, dirt, pollution and destruction to this area stems from the decision by HS2 to use Euston as the London terminus. All of this would be prevented if the terminus were to be sited at Old Oak Common
18. We would like to request a temporary halt for HS2 at Old Oak Common while more detailed plans for Euston are considered and the issues we have raised are resolved.
19. Your Petitioners object 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 to provide for a temporary halt at Old Oak Common and a requirement for HS2 Limited, the Secretary of State and/or the Nominated Undertaker to review the construction strategy for the project and its related works by considering their cumulative impacts on communities.

20. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, should not be allowed to pass into law.

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

AND your Petitioners will ever pray, &c.


Signed RENZO MARCHINI


Signed ANNETTE MARCHINI

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Renzo and Annette Marchini

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