

**1603**

**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 Mr JOE ELLIOTT M.B.E and MRS GRACE ELLIOTT.

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 Petitioner lives 350 yards from the proposed line, inside a conservation area in the city of Coventry. Associated construction works for HS2 will extend to the front drive of Your Petitioners property, located at 166 Kenilworth Road, Coventry, and HS2 will and the associated construction works be visible from the rear of Your Petitioners property. Your Petitioners property is bordered by the green belt separating Kenilworth and Coventry and is exceptionally tranquil, meaning the relative changes caused by the construction of HS2 and it's operation will be severe.
8. Your Petitioners' property is located on a road which will carry construction traffic and will have to be raised onto an elevated bridge to allow HS2 to pass under it, and HS2 Ltd also intend to divert the Canley Brook, which could lead to increased flood risk.
9. Your Petitioner Mr Elliott is a 71 year old pensioner, whilst Mrs Elliott is 56, and they live in a house which has been owned by Your Petitioners family since 1954. Your Petitioners had planned that by now they would have sold this property to live in a smaller, more manageable property, as six years ago Your Petitioners had decided they were to downsize in 2012. These plans included selling the property, buying a smaller house, and to using the excess money to by a pension for Mrs Elliott. Now, Your Petitioners are stuck in a property which Mr James De La Mar from national estate agents Knight Frank has described as 'unsellable'. Your Petitioners are now stuck in their home, with running costs outweighing the pension income of Your Petitioners, with almost all of their capital reserves exhausted. Your Petitioners'

plans and lives have been on hold for over four years as a result of the plans for HS2, which has caused a significant amount of worry and stress. Your Petitioners are severely financially affected by HS2, but feel unlikely to qualify for the compensation schemes on offer, which would not reflect the extent of the loss they have incurred. This is exceptionally distressing for Your Petitioners.

10. Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which Your Petitioners object for reasons amongst others, hereinafter appearing.
11. Your Petitioners believe that HS2 achieves nothing in its present format, creating more problems than it solves. The project has been watered down to make it even more obtuse, and what was said on the tin in 2010 is now not in the tin, such as the removal of the link to allow free-flowing passengers to HS1 and Eurostar, and the ridiculous lack of a link to Heathrow. These items, along with totally inaccurate figures, business plans and reports make the scheme just totally unfit for purpose.
12. And it will achieve absolutely nothing apart from taking more people down to London, exactly the opposite of what HS2 Ltd state will be the outcome of the project. HS2 will rip up Middle England, rip up everything in its path and is already destroying people's lives.
13. Your Petitioners believe HS2 will give zero value to the country, and indeed end up not only as a white elephant, but a diseased cash cow costing the country billions in losses.
14. Your Petitioners believe it is completely inequitable that HS2 would require such immense investment from taxpayers across the country, when the vast majority of the population receive no benefits from this scheme whatsoever.
15. Your Petitioners believe that the effect on the environment and the countryside is a disaster and unnecessarily destroys green belts, which is this project's going through will end up as industrial units up and down the side of the track. Your Petitioners live next to the 'Crackley Gap', one of the smallest green belts in the country, separating Coventry and Kenilworth, the entirety of which will be dug up by HS2, and wrecked forever. has a very small area of green belt.
16. The 'Crackley Gap' represents a series of major construction constraints for HS2, which Your Petitioners do not believe have ever been adequately assessed, and if they had been properly considered at the initial design stage, then HS2 would have been routed elsewhere.

17. One of the major issues within the 'Crackley Gap' is that the Canley Brook has to be re-routed so that the track can cross it, but the area will remain a large flood plain. Your Petitioners do not believe the flood risks associated from this diversion and the concrete piles deposited by HS2, have been properly assessed, and that there will be a significant increase in flood risk to a greater amount of land and property, as well as HS2 itself.
18. Your Petitioners regularly walk the local footpaths, including the new cyclepath to Warwick University, which HS2 Ltd managed to miss off their maps in the 2014 Environmental Statement Consultation. Your Petitioners believe this right of way, the much-used Kenilworth Greenway, and other paths, such as the one through Broadwells Wood will not only be unusable during the construction period, but unenjoyable and unattractive after HS2 is finished. Your Petitioners fear for the wildlife and the natural habitats and scenic beauty of the area.
19. As Your Petitioners approach their twilight years, they are terrified of the noise pollution and vibration from the operation of HS2. Your Petitioners fear this will have an adverse effect on their health, both physically and mentally, and are concerned that there will be an amplification effect as noise and vibration transmit upwards from HS2 at the base of the valley. It should be noted that the prevailing wind in the area, which travels from HS2 to Your Petitioners property, would also add to these effects.
20. Your Petitioners are greatly frightened about the impacts they will feel during the construction of this railway. Your Petitioners fear that the construction period will imprison them in their home for years, and for Mr Elliott, who will be in his eighties during this period, worries about the ability to get emergency health help because of the associated traffic chaos. Noise pollution, vibration and dust will all add to the horrendous problems around Your Petitioners home for many years, and will severely curtail Your Petitioners ability to travel for the most basic reasons, such as getting to supermarkets and chemists without significant delays.
21. A major concern of Your Petitioners is security and the treat of aggressive activity on track and trains, how easy it would be to put objects on the track, or indeed blow up a part of the track, with the railway moving through rural areas, day and night.
22. Your Petitioners believe that HS2 should be cancelled immediately, before more taxpayers money is wasted on this this abomination. It needs to be a stopped, or rerouted down an existing transport corridor.

23. If HS2 were not to be cancelled, Your Petitioners believe that it should be re-routed down an existing transport corridor, such as the M40, which would facilitate a link to Heathrow.
24. Additionally, Your Petitioners believe that, no matter what the route of HS2 if it were to go ahead, that the design speed should be reduced to allow more sensitive routing, reduce carbon emissions, reduce noise and vibration effects, and generally cause less damage to communities and the natural environment.
25. As HS2 Ltd have never really adequately considered the constraints associated with threading HS2 through the Crackley Gap, such as having to pass under the A46, over the River Finham, under the existing railway and over and moving the Canley Brook in the space of a mile. If these factors had been properly considered, Your Petitioners do not think HS2 Ltd would ever have decided to place HS2 through this area. Considering the damage to the village of Burton Green to the north, and the disruption which would be caused when HS2 crosses the West Coast Mainline at Berkswell, Your Petitioners recommend that HS2 should be placed in a deep bore tunnel from south of the A46, to just after Berkswell Railway station.
26. Your Petitioners believe that the compensation schemes on offer and yet to be consulted on, are totally inadequate and take no account of Your Petitioners, and tens of thousands of other people in similar positions, where a property such as that belonging to Your Petitioners has been lived in for many many years, with an end of use plan, completely destroyed by this project. Your Petitioners would consider full compensation at full market value to be the only reasonable and fair option for themselves and other people experiencing loss. The only criterion which should determine the level of compensation to be paid to homeowners, should be that of suffering a loss in property value.
27. There are many ways of making improving capacity on the current rail networks which would deliver more benefits more quickly and cheaply, such as introducing moving block signalling, declassifying first class carriages and adding extra rolling stock.
28. 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.
29. 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

**JOE ELLIOTT**



**GRACE ELLIOTT**



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