

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 ANDREW JOHN BONIFACE

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 at 9 Hemingway Road, Aylesbury, HP19 8SD on a quiet residential street some 800 metres from the line. Your Petitioner owns this property outright having lived there for over twenty years with his wife and family. The value of this property is part of your Petitioner's retirement investment planning, so any reduction in its value would seriously jeopardise these investment plans. The residential estate where your Petitioner's property is located lies between the A41 (to the north west of Aylesbury) and the planned route, where significant traffic nuisance will occur during the construction phase and significant ongoing noise nuisance and visual intrusion during operation of the line.
8. Your Petitioner's rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.
9. Your Petitioner has specific concerns regarding the construction of the "Thame Viaduct" and the impact of the additional noise and nuisance this will create during construction and operation of the HS2 line. This viaduct is shown in the HS2 Draft Environment Statement, Map Books, Community Forum Area 11, on Page 71, Diagram SV-01-23 (Noise Contour Diagram). When the construction plans were first publicised at the HS2 consultation roadshow during March 2011 your Petitioner was specifically assured by HS2 staff present at the event that there would be no additional noise nuisance created by running the line on the proposed viaduct. Your Petitioner disputed this misleading information and complained in writing at the time to HS2 Limited, who failed to address the complaint and instead supplied further information to back up their claim (HS2: Sound Demonstrations, Methodology, AAc/214594-48). When the Draft Environmental Statement was published it revealed the additional noise nuisance which is apparent in the Noise Contour Diagram referred to above. However the noise nuisance that is depicted in this diagram remains understated making no allowance for prevailing westerly winds that will carry this additional noise further west across your Petitioner's residential location. In addition the proposed

elevated viaduct will be severely detrimental to the visual aspect of this rural location across a wide area.

10. Your Petitioner respectfully submits that the Bill should be amended or undertakings should be required so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker:
 - a. Ensure proper consideration of the noise nuisance of the "Thame Viaduct" and any alternatives to more accurately assess the true impact on the wider community.
 - b. Produce comprehensive mitigation plans either by; re-routing the line, realigning to avoid the need for a viaduct or ensuring its noise nuisance and visual intrusion is minimised.
 - c. Bring forward more comprehensive compensation plans for those such as your Petitioner whose property value and pension investments are adversely affected.

11. 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.

12. 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 Petitioner.

YOUR PETITIONER therefore humbly prays 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 Petitioner will ever pray, &c.

Signature

ANDREW JOHN BONIFACE

Dated: 17th MAY 2014

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