

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 DEIRDRE JOY VERNON, MICHAEL EDWARD VERNON

SHEWETH as follows:-

1. A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House intituled “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 Petitioners are the Vernon family, owners of 28 Hodgetts Lane, Burton Green, Kenilworth, CV8 1PJ. We have lived at this property for 26 years, brought up our family here and developed long-standing friendships within the village. Our children attended the local school and we have been closely involved in many aspects of community life throughout the period. We regularly take part in and help organize a wide variety of social and fundraising events, most of which take place at Burton Green Village Hall. Both the Village Hall and the Greenway would be destroyed under the existing proposals, and the loss of these facilities would have a major adverse effect on the community.
On a personal level our lives would be very considerably affected both by the loss of community facilities and by the disruption resulting from the construction and operation of HS2. Although we had planned to stay here indefinitely, we feel that under the existing proposals we could not do so. The reduction in the quality of our lives would outweigh what we would lose by moving away, namely our home and garden, relationships within our local community, and everything we have worked for over 26 years.

8. Your Petitioners’ property lies at a distance of 80 metres from the centre of the proposed line, which is outside the 60m. safeguarded area but within the 120m. zone as shown on the plans deposited with the Bill.

9. 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.

10. Your Petitioners’ property is described in the documentation as being one of 21 specified properties subject to “significant noise and visual effects during the construction of the Burton Green green tunnel and the works to build the Burton Green auto-transformer feeder station on the north-western edge of the village” The combination of effects on the amenity of residents is described as “giving rise to major adverse affect which is significant”. This phase is expected to last for two years

In addition, the Petitioners’ property is one of 11 specified properties which “will also experience vibration effects for 8 months” during the construction of the green tunnel as described in the documentation.

We have concerns about health implication resulting from noise, vibration and air quality during the construction phase.

11. Your Petitioners will suffer considerable inconvenience during the construction phase resulting from a massive influx of HGV construction traffic totally unsuited to some of the narrow twisty roads within the village. In combination with the necessary road closures and diversions, this will cause very considerable road congestion and delays, as well as constituting a real danger to pedestrian and cycle movements, particularly in the vicinity of the primary school.
12. Your Petitioners' property is shown in the documentation to suffer in perpetuity from noise created by the operation of the proposed railway which will continue to prevent our peaceful enjoyment of gardens and outdoor spaces.
13. Your Petitioners consider that they will also be adversely affected by various other considerations resulting from the loss of local amenities including wildlife habitat and ancient woodland areas, various footpaths and cycle routes, and in particular from the replacement of Burton Green Village Hall if a suitable site becomes available. These adverse effects will be felt by all local residents rather than your petitioners in particular, and it is understood that other local petitioners will examine these issues in greater detail. Your petitioners strongly support the proposal that the replacement village hall should be built and completed before the commencement of any HS2 construction work. However it is noted that the currently proposed relocation site is completely unsuitable as it is on land owned and used by the school.
14. Your Petitioners assert that we (and many others in the village) are unreasonably and unnecessarily affected by proposed HS2 design, as described in the Bill and in the supporting documents including the Environmental Statement. A bored tunnel would mitigate the worst effects of both the construction and operation of the project, compared to the proposed cut-and-cover tunnel would effectively bisect the village and do very little to alleviate the harmful effects.
15. Your Petitioners request that the design of the proposed scheme in this area should be examined afresh and to take full account of the human and environmental costs/benefits of the proposals and to do so in an open and transparent manner. We note that despite many requests during the 'engagement processes' of the last four years the relative weightings of the SIFT criteria are still unpublished leading to our belief that decisions could have been made in an inconsistent or even arbitrary manner across different regions of the line, and that really the only factor with real effect is that of construction cost. Given that the proponents of the scheme seem unwilling to compensate all those that are affected by the scheme it seems only reasonable to ask for the very best design and mitigation and not just the cheapest as otherwise it is the case that a small group of people are being expected to bear disproportionate personal costs for a scheme nominally in the national interest.
16. Your Petitioners specifically request that full consideration is given to one of the bored Tunnel proposals, for which that described as 'Option F' within HS2 documents would solve most of our individual concerns and of course those of many others in both this village and the wider area.

17. Your Petitioners feel that the proposed financial compensation is grossly inadequate because it would merely offer the unblighted value of our home, with no compensation for the massive disruption to our lives resulting from having to move away from the village where we have lived for 26 years. While no amount of monetary payment would adequately compensate for such loss, we feel that as an absolute minimum we should be offered the same payment as those people within the 60 metre zone, with an additional 10% compensation payment and full removal expenses including legal fees and Stamp Duty.

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

19. 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 Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

Signature of Petitioners in person, or Agent for the Petitioners

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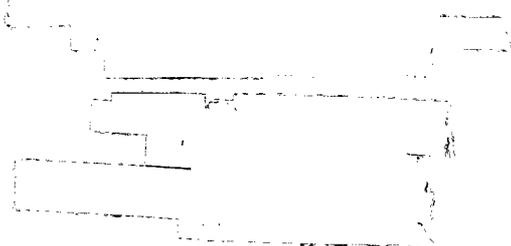
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AGAINST, On Merits, By Counsel, &c.

Mr. Michael Vernon

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