

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 KATHLEEN WALL

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, Kathleen Wall, is freeholder of land at The Bungalow, Radbourne Lane, Ladbroke, Warwickshire.

Details of the HS2 proposal, as it affects the property, are shown on Environmental Statement Map dated 29th October 2013 ref CT-06-083.

8. It is proposed by the Bill to authorise the compulsory acquisition of certain interests in land or property of Your Petitioner and, in accordance with the standing orders of your Honourable House, notice has been served on your Petitioner of the intention to seek such compulsory powers.
9. Your Petitioner and her rights, interests and properties are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others hereinafter appearing.
 - a) The proposal s will result in the loss of direct highway access to one of the fields at the property, thereby rendering it less valuable.
 - b) The proposals require significant land take for landscaping within that field, resulting in a loss of productive land which it will not be possible to replace.
 - c) The proposals are unclear as to what is to happen to a length of stopped up highway (Windmill Lane) adjoining Your Petitioner's property to the north.
11. Your Petitioner has already put forward proposals to HS2 for an alternative access to the field in question, and for a reduction in the landscape planting at this location, which she believes has been included unnecessarily.

Plans are available to show the Petitioner's alternative proposal and it is disappointing that HS2 have not responded to these suggestions hitherto.

12. Your Petitioner proposes to your Honourable House that HS2 Ltd should be required to undertake that it will;
 - a) Alter the proposals to remove the landscaping area from the field in question
 - b) Keep open the length of Windmill Lane (as a public highway) which leads to the field in question, and provide a new gateway into the field from the public highway at a suitable position.
 - c) Or in the alternative to b) above, procure the transfer to my clients of the freehold of the stopped up section of Windmill Lane, in order that they may make their own arrangements for continued access to the field from the public highway.
 - d) At a very early stage, seek to agree with your Petitioner, a suitable specification for accommodation works where they are required as the result of the construction of the Authorised Works and that the specification, once agreed, will be binding on the Nominated Undertaker.
13. For the foregoing and connected reasons, your Petitioner respectfully submits that, unless the Bill is amended as proposed above, so far affecting your Petitioner, should not be allowed to pass into law.
14. 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 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 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.

Signed:


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KATHLEEN WALL

IN PARLIAMENT

HOUSE OF COMMONS
SESSION 2013-14

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