

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013-2014

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 JOHN AND JACQUELINE BEARD

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 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 Patterson, 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 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 the Schedules 2 and 3 of the Bill.
7. Your petitioners are John and Jacqueline Beard, owners of a property at 61 Gloucester Avenue, London NW1 7BA. We have lived in this house for 27 years, and raised a family here.
We are both self-employed designers, with our working lives based in the property. The HS2 railway line is proposed to run directly beneath our property, as notified by Winckworth Sherwood on 25 November 2013, and it is specified in Schedules A B and E for compulsory acquisition. Your Petitioners property is also on a road to be used for construction traffic during the construction of the Scheme, and opposite an existing Network Rail entrance to Camden carriage sidings satellite compound, proposed to be used for approximately 1 year from 2016 for works to extend the sidings, to be carried out at night, weekends and bank holidays.
8. Your Petitioners and their interests are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
9. Your Petitioners are alarmed that the Bill gives the Secretary of state and the Nominated Undertaker the power to subject Camden and it’s residents to 10 years of misery through noise and air pollution, road closures and excessive HGV traffic through it’s streets, caused by the proposed demolition and rebuilding of Euston Station and the surrounding area, and the construction of the tunnels to accommodate HS2.
10. Your Petitioners are particularly concerned about the excessive HGV traffic and noise levels we are likely to experience in the immediate vicinity of our property, in particular due to the works to be carried out to Camden carriage sidings. This work is planned for 1 year from the end of 2015, with work carried out mainly at night, weekends and bank holidays. The existing Network Rail access point to the tracks is opposite our property, and these are the hours that their track maintenance crews currently work, and which we know from experience are already intolerable. Despite constant reassurances that they are considerate in their working practices and that they keep noise levels to a minimum, we know this is not the case. We have had to contact Network Rail on numerous occasions to complain about the noise levels at night, and lack of consideration for the residents nearby. Unfortunately our experience doesn’t give us any confidence for the works associated with HS2, and we need reassurances and commitment that noise levels, at night in particular, will be kept to a minimum, and monitored.
11. Your Petitioners are also concerned about the lack of consideration or compensation currently being offered to the owners of properties which must have their value and saleability affected by the proposed Bill. Should we decide to or need to sell our property some time in the next 12 years, what will be the effect on our ability to sell for

the correct market price that would have been realised prior to the implementation of the Bill. Whilst construction works are being carried out, the negative impacts would be both visible and audible to prospective purchasers. What effect would the Schedule A B and D Notices have? There is also the long term question over how the property and its stability might be affected, and whether noise and vibration from tunnelling or trains will ever be noticeable, and become a problem. We have yet to receive reassurances that our concerns will be dealt with, that properties that might be affected will be monitored, and compensation offered, in the same way as has been proposed in rural areas affected by the Bill.

12. Your Petitioners property adjoins the Grand Union Canal, and any rupture to the framework of the Canal caused by utility or tunnelling works beneath, could cause water to leak into our grounds or property. We notice in the Environmental Statement November 2013, 13.4.7 that there are measures in place to 'reduce' the risk of accidental discharge where utility or other construction work is being carried out in the vicinity of the Grand Union Canal. Reducing risk doesn't give us much confidence, and we need reassurances that are property will not be affected by any leakage from the canal, or that if it is, measures will be in place to deal with any damage caused. We have never experienced any leakage in the past and our buildings insurance reflects this, even though we live in close proximity to water.
13. 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 or undertakings should be required to be given that HS2 Limited, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and give more thought to, and consideration for the residents, businesses, and community as a whole, that is about to be destroyed for ever, and come forward with necessary changes, and compensation proposals arising from that review, before works packages design and tendering strategies have been finalised. The proposal from The London Borough of Camden, that the Bill should be amended to allow for a temporary London terminus station at Old Oak Common, should also be given serious consideration, to enable construction works to commence in some areas, allowing more time to be given to develop and design the right Terminus and development at Euston, and it's surrounding area.
14. 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, 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 relief may be given to your Petitioners in the premises as your Honourable House shall deem meet.

AND you Petitioners will ever pray, &c.

Signed John Beard

Signed Jacqueline Beard

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AGAINST, By Counsel, &c.

JOHN BEARD



JACQUELINE BEARD

