

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – On Merits – Praying to be heard

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION of CHARLES THOMAS, MARY-KAY FREARS, KENNETH WILLIAM MUSGROVE FULFORD, MARGARET JANE FULFORD, CHARALAMBOS LOIZOU, ANDROULLA LOIZOU, PAUL ALAN WATKINS, MAUREEN ANNE BETTS, DAVID EDWIN GOODMAN, GAIL MARIE GOODMAN, CORIN CAMPBELL HILL, GONZAGA KUTZ, MARTIN GAMBLE, MARY PORTAS, MELANIE RICKEY, LIZ HEAVENSTONE
SAM FREARS

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 line 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 & 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.
3. Clauses 1-36 of the Bill set out the Bill's objectives in relation to the construction and operation of the railway mentioned in para. 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 water, sewage, street works and the use of lorries.
4. Clauses 37-42 of the Bill deals with the regulatory regime for the railway.
5. Clauses 43-65 of the Bill set out a number of miscellaneous and general provisions, including provision for the appointment of a nominated undertaker to exercise the powers under the Bill, transfer schemes, provisions relating to statutory undertakers and the Crown, provisions about the compulsory acquisition of land for regeneration, reinstatement works and provision about other high speed railway works. Provision is also made about the application of the Environmental Impact Assessment Regulations
6. The works proposed to be authorised by The Bill are specified in clauses 1 and 2 and Schedules 1 and 2 of 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. The Bill designates Regent's Park Road, NW1 as a street where anticipated works will have an impact by way of traffic congestion and/or interference with pedestrian passage, said to be predominantly in Q2 2017, with alleged "moderate adverse

effects" by HGV or other vehicles.

- 194
8. Your Petitioners are live and in mist cases own properties from 174 Regent's Park Road to ~~188~~ Regent's Park Road, London NW1.
 9. All properties lie within the Primrose Hill Conservation Area, and it is currently projected that, apart from the matter referred to in para. 7 above, numerous works are projected to take place within or close to the area, liable to affect such properties. Some of those works are referred to hereafter.
 10. In addition to the matters referred to in para. 7 above, by a notice 271/007732 from Messrs Winckworth Sherwood and Eversheds sent 23 November 2013 some were informed that it was intended to seek authority for compulsory acquisition by way of temporary possession of land, identified by what appears to be a strip of garden, Nos. 352 and 353 on sheet No. 1-06 which accompanied the said notice. No further information was provided. In particular, nothing was said about the nature or duration of the proposed works, how access was to be gained or otherwise what disruption or inconvenience was liable to be caused. Research revealed that Sch. 15 to the Bill identified Nos. 350-360 as required for "diversion or installation of works to utilities apparatus", but this still left very substantial questions as to the nature or duration of the planned operation.
 11. More generally, sheet No 1-06 indicates a number of planned operations in or in the vicinity of 174-188 Regents Park Road, viz Nos. 391 and 392 in Regent's Park Road itself, No. 361 (Berkley Road), No. 342 (Gloucester Avenue), No. 413 (King Henry's Road) and No. 390 (Bridge Approach). Again, no information was provided by the said notice or otherwise as to what was intended, although your Petitioners have been led to understand that No. 361 and possibly Nos. 391-2 represent "land potentially required during reconstruction".
 12. 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.

194

 13. The bill is unclear as to what is planned for the strip represented by Nos. 352-3 or for the other areas in the vicinity of 174-~~188~~ Regent's Park Road and the extent to which life as a resident of it will be disrupted and for how long. This uncertainty will affect the quality of life of those residing on this street.
 14. Looking at matters overall, there are two aspects which render the position of your Petitioners unfair:
 - (a) The very fact that the details provided on sheet No 1.06 are so unclear, with no guide as to numbered references, make it virtually impossible to determine precisely what areas are required for what purposes and for how long.
 - (b) The unfortunate circumstance that the deadline imposed for lodging this Petition precedes whatever response may be forthcoming in consequence of Consultation Responses to HS2's Environmental Statement returned among many others by your Petitioners. All that has been forthcoming so far is a bare analysis of the responses, without any evaluation of their weight or validity.
 15. Focussing in the first place on Nos. 352 and 353, your Petitioners are baffled why the said notice sent 23 November 2013 could not have contained a statement along the following lines: "We are likely to need temporary possession of.....in order to

conduct the following works.....Those works are likely to take.....weeks/months/years. They will inconvenience you in the following respects....."

16. Having regard to the fact that nothing was said about what is intended to be done, there are two scenarios:

K194

(a) The work will be carried out entirely beneath the surface, tunnelling from Gloucester Avenue and/or Berkley Road. In that event, direct disruption to 174-~~188~~ Regent's Park Road may well be limited. Foreseeable risks would be of contamination and subsidence.

(b) The work will call for surface excavation. If so, how will access be gained. How deep will the excavation reach? How much disruption will there be to the user and enjoyment of their gardens? Will the changes be permanent?

17. Thus your Petitioners humbly ask that, in order to remove the uncertainty imposed on the property and the leaseholders' and the occupiers' peaceful enjoyment thereof, the wording of the Bill be amended so as to identify the nature and extent of the work to be done as well as its duration.

18. Turning now to the wider position, that is to say to works generally as designated on Sheet No.1-06 and otherwise within North London, your Petitioners submit that serious consideration should be given to altering the route of the proposed line - either by having the line terminate at Old Oak Common or by more tunnelling. The current choice of route is one which has grossly weighted matters in favour of construction at the expense of those living, working or travelling in North London, and in particular Primrose Hill, supported by no plausible cost/benefit analysis. Apart from the roads that skirt Primrose Hill (Primrose Hill Road and the southern part of Regent's Park Road), the area has no through traffic. It is aptly known as "Primrose Hill Village" and is indeed quieter than many rural villages and those who live here value it for that quality. It is a close-knit community, as evidenced by its thriving Community Centre and the fact that through residents' own efforts, its library has been saved as a community enterprise. All this is under threat from the widespread works planned by HS2.

19. Against that background, your Petitioners would wish to draw attention to the following facts and matters which are liable prejudicially to affect Your Petitioners and the property:

(a) Dust, noise, vibration and pollution. Unless modified, the contemplated works and associated lorry traffic will cause years of such nuisance and any 24 hour working will cause sleep deprivation. Pollution levels in the area are already excessive.

(b) Closure of Adelaide Road and other streets. Your Petitioners would ask that serious consideration be given to relocating the ventilation shaft from Adelaide Road, a critical east/ west route, which it is envisaged will be subject to long closures. Closures plus the significant extra HGV traffic running through existing streets, will inevitably cause congestion and an unacceptable diversion of vehicles being routed through the Primrose Hill area. (This might be mitigated were the current Central London congestion zone extended northwards so as to deter vehicles from entering the works zone, and in the event of the House being otherwise adverse to your Petitioners, they would urge that measures be taken to this end).

- (c) 24 hour working. Your Petitioners appreciate that on occasions this may be necessary. They would however ask that the parameters for such occasions be narrowly defined. HS2 should not have liberty routinely to engage in 24 hour working, with all the nuisance which this entails, simply to reduce costs.
- (d) The huge amount of HGV traffic will inevitably lead to an increase in accidents involving, in particular cyclists. HS2 appear to have given no thought to their predicament. Furthermore certain cycle routes or proposed cycle routes will be blocked or lost.
- (e) Parking for residents and businesses. Your Petitioners are anxious lest the area returns to the chaos which obtained some 15 years ago, before it became a CPZ. At the moment parking is barely held in balance. Deprivation of spaces – eg because of temporary acquisition of roads for depots or works – Nos. 290, 361 and 392 – would have a catastrophic effect.
- (f) Access to public transport. Closure of Adelaide Road would mean diversion half a mile northwards of the No. 31 bus, the only east/west route serving the area. Should works on Nos. 381 and 382, 388 or 390 be extensive, access to Chalk Farm Underground Station would be blocked, as would access to the No 168 bus. A two would be converted into a fifteen minute walk.

These facts and matters should, of course, be seen cumulatively – something notably absent from the approach taken in HS2's Environmental Statement.

20. Your Petitioners therefore ask that the methodology of the proposed works be revisited, so as so far as possible to avoid the problems referred to above. They humbly request that HS2 should be required to consider alternative schemes to achieve the object of the Bill – including tunnelling and/or the use of the existing railway line rather than lorries for soil removal. Insofar as Railtrack objects to use of the existing railway line for soil removal, its objections should be overridden.
21. In the event that the works proceed substantially in their present form, peaceful enjoyment of life On Regent's Park Road will not be possible.
22. One of the fundamental errors underlying the Bill and HS2's Environmental Statement is the assumption that urban dwellers are much more ready to absorb problems arising from major construction works. This is patronising and, worse, discriminatory. And in its assessment of the impact of noise and vibration, HS2 have the effrontery to suggest that this is to be ignored because allegedly in the ordinary course of events other construction work would be taking place. Your Petitioners therefore humbly submit that the House should address the issue of compensation and in particular the imbalance between levels of compensation proposed for urban as opposed to rural areas.
23. Your Petitioners humbly ask that the House recommends that funds be set aside which provide realistic compensation and/or if funds are limited, that any formula for their distribution should not favour rural over urban dwellers.

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 themselves, 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.

.....

CHARLES THOMAS, 180 Regent's Park Road

MARY-KAY FREARS, 180 Regent's Park Road

KENNETH WILLIAM MUGROVE FULFORD, 178 Regent's Park Road

MARGARET JANE FULFORD, 178 Regent's Park Road

CHARALAMBOS LOIZOU, 182 Regent's Park Road

ANDROULLA LOIZOU, 182 Regent's Park Road

PAUL ALAN WATKINS, 184 Regent's Park Road

MAUREEN ANNE BETTS, 184 Regent's Park Road

DAVID EDWIN GOODMAN, 186 REGENT'S PK ROAD

GAIL MARIE GOODMAN, 181 REGENT'S PK ROAD

CORIN CAMPBELL HILL, 176 Regent's Park Road

GONZAGA KUTZ, 194 REGENT'S PK RD

~~MAUREEN CAMPBELL~~