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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 MR PETER RICHARDSON AND MRS MIRIAM RICHARDSON of 3 Butlers Close, Amersham, Bucks HP6 5PY, a Property located some 1400 metres from the proposed route of HS2.

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’ property lies within the area shown in the Environmental Statement which will be impacted by noise from the construction and operation of HS2. Your Petitioners are regular users of the A355 between Amersham and Beaconsfield, the A413 between Amersham and Stoke Mandeville and between Amersham and Chalfont St Peter, and of the A40 between Amersham and London, and of other roads already designated or liable to be used by construction traffic during the period of construction of the works authorised by the Bill. Your Petitioners’ property is adjacent to Second Charsley’s Wood in Amersham, which your Petitioners regularly use, together with Weedonhill Wood and nearby footpaths, for the purposes of recreation. Both woods lie within the Zone of Theoretical Visibility during construction of HS2.

8 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.

9

▪ Your Petitioners note that the route of HS2 will cut through the nationally designated Chilterns Area of Outstanding Natural Beauty (AONB), whose peace, tranquillity and wildlife your Petitioners especially value. One of your Petitioners was born in the area, holds a particular and strong affection for it, and would be extremely distressed to see the entire character of the area changed irrevocably. Your Petitioners therefore request that careful consideration be given to amending the route so as to avoid the AONB entirely, and instead follow a major existing transport corridor. Your Petitioners submit that this request is not injurious to the principle of HS2, since the Bill is now put forward by Mr Secretary McLoughlin primarily on the requirements of *capacity* rather than *speed*, the latter being the justification in the original plans for taking the straightest possible route through the middle of the AONB.

▪ If the foregoing is not considered possible, then your Petitioners request that the high speed railway runs in a bored tunnel throughout the entire area of the AONB which it will otherwise cross and permanently disfigure, causing a significant and irreversible diminution in your Petitioners’ enjoyment and quality of life.

▪ In any event, your Petitioners request that HS2 Ltd be required to ensure that the operation of the high speed railway does not exceed 40dB, the threshold identified by the World Health Organisation as appropriate for

ensuring no long-term health issues for persons living nearby.

- Your Petitioners are concerned about adverse impacts on the visual amenity of the Property and the neighbourhood during construction and operation of the high-speed railway and associated development.
- Your Petitioners are concerned that the bored tunnel proposed at Amersham is not sufficiently long to mitigate the potential noise and visual impact on your Petitioners' property and community.
- Your Petitioners request that the bored tunnel should be extended from Amersham to Wendover to mitigate the potential the noise and visual impacts.
- Your Petitioners request that there should be binding mitigation measures to reduce the adverse impacts on visual amenity including but not limited to screening of the construction and operation of the high speed railway and associated development, use of deep cuttings, and ensuring new buildings blend in with the surroundings.
- Your Petitioners request that before construction the relevant local authority should be consulted on the design of structures and buildings and their views taken into account in designing such structures.
- Your Petitioners are concerned that the operation of the high speed railway will give rise to noise. Noise would severely impact upon the use and enjoyment of the Property by your Petitioners as well as on the neighbourhood's amenity as an Area of Outstanding Natural Beauty (AONB). In addition, your Petitioners are an accomplished pianist and a singer who would be unable to pursue these activities in the presence of noise from the high speed railway.
- Your Petitioners request that the nominated undertaker should be compelled to use best available techniques in the construction and operation of the high speed railway and its associated development to ensure that no noise can be heard in the Property and there are no other adverse effects.
- Your Petitioners request that there should be binding mitigation measures including an effective noise mitigation and monitoring system in place before commencement and during construction and operation of the high speed railway and associated development.
- The binding mitigation and monitoring measures should be decided by a panel of independent experts on the basis of independent expert evidence. For example the House of Commons Environmental Audit Committee's report entitled *HS2 and the environment thirteenth Report of Session 2013-2014* dated 7 April 2014 recommended an independent body to monitor and publicly report on all aspects of environmental protection needed for 60 years. Binding mitigation measures should include but not be limited to full noise barriers and noise insulation for buildings and re-housing. The

trigger levels at which point noise mitigation becomes necessary should be reduced.

- Your Petitioners are concerned about the effects of vibration arising from the construction of the high speed railway and associated development including heavy construction traffic. Your Petitioners are also concerned that the operation of the high speed railway will give rise to vibration. Vibration will severely impact upon the use and enjoyment of the Property by your Petitioners as well as on the neighbourhood's amenity because your Petitioners are an accomplished pianist and singer and would not be able to pursue these activities in the presence of vibration.
- Your Petitioners request that the nominated undertaker should be compelled to use best available techniques in the construction and operation of the high speed railway and its associated development to ensure that no vibration can be felt in the Property and there are no other adverse effects.
- Your Petitioners request that there should be binding mitigation measures including vibration and resultant damage mitigation and monitoring systems in place before commencement and during construction and operation. Binding mitigation measures should include but not be limited to an express obligation to undertake specific measures to limit structural and other damage to the Property, installation of noise barriers which ensure compliance with World Health Organisation (WHO) acceptable peak sound levels, and the integration of full barriers into the structural design of viaducts with shallower support structures beneath track level.
- Your Petitioners request that there is a requirement to carry out additional mitigation if dust becomes a nuisance to your Petitioners' Property and the neighbourhood. Your Petitioners submit that provisions should be made to ensure that the nominated undertaker takes responsibility for the reimbursement of your Petitioners for additional expense caused by dust and dirt.
- Your Petitioners are concerned about the potential adverse impacts on air quality as a result of the construction and operation of the high speed railway line and associated development.
- Your Petitioners request that before construction there should be an air quality baseline monitoring study benchmarked against the Air Quality Standards Regulations 2010 and a copy of this report should be provided to the relevant local authority.
- Your Petitioners request that the local authority should be provided with funding to undertake responsibility, compliance and enforcement for the monitoring of air quality in accordance with binding mitigation plans and that the results of monitoring are made publicly available.
- Your Petitioners regularly walk along footpaths in the immediate vicinity and further afield in the AONB. Their health, quality of life and wellbeing

rely upon the scenic tranquillity of the area, peace and quiet, and fresh air. They also enjoy the abundance of birds and wildlife in their garden and surrounding areas, notably red kites, muntjac deer, woodpeckers, owls and occasional cuckoos. Your Petitioners feel aggrieved that the proposed construction and operation of the high speed railway will disrupt their quiet enjoyment of the wildlife which will inevitably be threatened.

- Your Petitioners request that the nominated undertaker is subject to binding mitigation measures to mitigate the impacts of the works in the Chilterns AONB. These binding mitigation measures should include but not be limited to restrictions on noise, dust, vibration construction hours, vehicle movements, operating hours, design of structures. Monitoring compliance with these restrictions and enforcement of these restrictions. The nominated undertaker should also mitigate the impact of noise, dust, vibration and impacts on visual amenity through measures such as noise insulation and barriers, sheeting of haulage vehicles, dust dampening, hand piling, and sympathetic design in keeping with the surrounding area.
- Your Petitioners are concerned that the construction of the high speed railway and associated development at Amersham and on the wider area will impact significantly upon the quiet enjoyment of the Property and the neighbourhood by way of noise, disturbance, visual intrusion and traffic increases.
- Your Petitioners are concerned about the use of unsuitable highways by large vehicles delivering equipment and supplies, and removal of spoil during the construction works as well as use of highways by other vehicles. The disruptive effect of these vehicle movements will be compounded by long hours of operation. The use and routing of large vehicles within the vicinity of the Property is also a matter of concern to your Petitioners. The likely necessity to expand existing winding country roads into highways and/or to build new roads through unspoilt countryside for the planned transportation of spoil on a massive scale is of concern to your Petitioners. The likely impact on already busy roads in the area of extra traffic is of particular concern to one of your Petitioners, who drives to work and back via Chesham every day.
- Your Petitioners request that hours for the movement of construction traffic are limited to 08:00 to 17:00 Monday to Friday, and there are limits on the number of vehicle movements, limits on the size of vehicles, and other miscellaneous related matters.
- Your Petitioners request that large vehicles as well as other construction traffic must be strictly controlled, having regard to the particular sensitivities of the area. Your Petitioners therefore request that the nominated undertaker should be subject to binding mitigation measures in relation to the control of all construction traffic, assessment of suitability of roads for construction traffic, routing of lorries and other vehicles in accordance with a list of routes to be agreed with the nominated undertaker and the relevant local authority.

- Your Petitioners request that binding mitigation measures should include traffic management plans to be agreed between the nominated undertaker, the relevant local authority and the relevant highway authority to be monitored and enforced by environmental health officers
- Your Petitioners are concerned about the risk to public safety posed by the large, heavy lorries and articulated vehicles, especially in light of the fact that many roads in the area are narrow.
- Your Petitioners are concerned about the wear and tear, and degradation to the highways as a result of heavy construction traffic.
- Your Petitioners request that appropriate funding should be provided by the nominated undertaker to the highway authority for the maintenance, repair and re-instatement of highways required as a result of use by construction traffic
- Your Petitioners request that risk assessments should be completed by the nominated undertaker, relevant statutory undertakers and emergency services in relation to the access and transport issues raised by construction activity for each Community Forum Area. Your Petitioners request that the results of these risk assessment are made available to the public.
- Your Petitioners are particularly concerned that the A413 to Stoke Mandeville, designated for construction traffic, is the only ambulance route to the nearest Accident and Emergency department and e.g. stroke unit. Since e.g. stroke requires time-critical treatment, delays to emergency vehicles along this route could threaten your Petitioners' lives or wellbeing in the event of sudden accident or illness.
- Your Petitioners are also concerned about the risk to health and safety by the presence of mud and other debris on the highways as a result of the construction traffic. One of your Petitioners regularly cycles in the area, including to Amersham station most days. The area is characterised by rolling hills and these could become hazardous in wet weather if muddy.
- Your Petitioners are concerned that having regard to the residential nature of the Property and the neighbourhood, the construction of the high speed railway and its associated development is likely to create considerable disruption to sleep in what has been hitherto a tranquil location.
- Your Petitioners request that under binding mitigation measures hours of construction should be strictly limited from 08:00 to 17:00 Monday to Friday.
- Your Petitioners submit that the compensation provisions in relation to property that is not compulsory acquired and other matters are not sufficient to compensate your Petitioners adequately for the loss and damage they may incur as a result of construction and operation of the high speed railway and associated development.

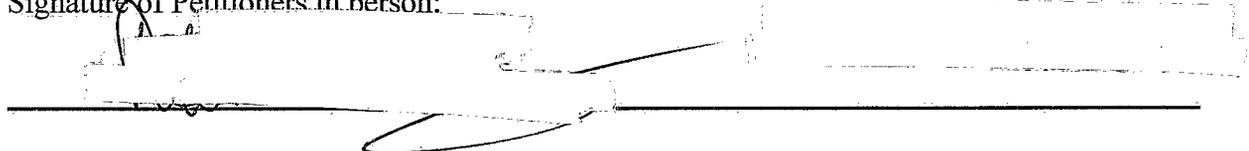
- Your Petitioners request that the Bill should be amended to ensure your Petitioners and other persons outside the safeguarded area who are injuriously affected and adversely affected by loss of value to their Property should be entitled to claim compensation.
- Your Petitioners request that the voluntary purchase announced on 9 April 2014 should be extended to all properties outside of the safeguarded area and should not be limited to rural areas.
- Your Petitioners request that the home owner cash payments should be extended to all areas within the vicinity of the proposed high speed railway line and the payment should be calculated so that any and all diminution in value is compensated.
- Your Petitioners submit that the Bill should be amended to ensure that your Petitioners are entitled to claim compensation where their Property is not compulsorily acquired for, among other matters, structural damage to the property, settlement impacts from noise and dust, impacts on visual amenity, interference with access, interference with supplies of services and for injurious affection caused by the construction and operation of the high speed railway and associated development. Your Petitioners request a provision to enable such claim to be made separately from any claim for compensation in respect of the acquisition of land or interests under the powers of compulsory acquisition in the Bill.
- Your Petitioners require an indemnity from the nominated undertaker that the proposed works will not be of long term or irreversible detriment to the land and interests of your Petitioners. Such indemnity would also remedy any damage, claims, demands, proceedings, costs, damages, expenses and disruption arising from the construction and operation of the high speed railway and associated development.

10 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 Petitioners in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

Signature of Petitioners in person:



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PETITION OF MR PETER RICHARDSON AND MRS MIRIAM RICHARDSON

AGAINST, By counsel, &c

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