

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 DAVID EDWIN GOODMAN AND GAIL MARIE GOODMAN 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, supported by other of Her Majesty’s ministers and members of your Honourable House.
- 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.

8 Your Petitioners are owners of the freehold property at 186, Regents Park Road, NW1 8XP, which the Bill may directly and specially affect.

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 The Bill is extremely vague as regards what is planned for Regents Park Road, the extent of the intended construction works and their duration. A notice 271/007732 from Messrs Winckworth Sherwood and Eversheds sent 23 November 2013 informed us that authority would be sought 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. Specifically, the notice contained no information on 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 unanswered questions as to the nature or duration of the planned operation.

11 The Bill is unclear as to the extent to which our lives as residents of Regents Park Road and Primrose Hill will be disrupted, the nature of this disruption and its length. This uncertainty about the extent and nature of this disruption is detrimental to our quality of life, the value of our property and its saleability.

12. Thus your Petitioners humbly ask that, in order to remove the uncertainty imposed on the property and the freeholders' 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.

13 Taking a wider perspective, 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 gives preference to the interests involved in construction at the expense of those living and travelling in North London, and in particular Primrose Hill, nor is it supported by

any 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 reason.

14 The current Bill has no concrete proposals to mitigate the air pollution and other environmental damages liable to result from the construction works, heavier volumes of lorry traffic and greater traffic congestion that HS2 will entail, notably in the area of Adelaide Road. 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.

15. 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 and pollution. Unless modified, the contemplated works and associated lorry traffic will cause years of dust, noise and pollution, and the proposed 24-hour working will cause sleep deprivation.
- (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 using existing streets, will inevitably cause abnormal levels of 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) The HGV traffic will inevitably lead to an increase in accidents involving, in particular cyclists. HS2 appear to have given no thought to their predicament
- (d) 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 – eg Nos. 290, 361 and 392 -- would have a catastrophic effect.
- (e) Access to public transport. Closure of Adelaide Road would mean diversion northwards of the No. 31 bus, the only east/west route serving the area. Should works on bus routes 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.

These facts and matters should, of course, be seen cumulatively.

16 Your Petitioners therefore ask that the methodology of the proposed works be revisited in order to avoid or mitigate 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.

17 In the event that the works proceed substantially in their present form, the quality of our lives at 186, Regents Park Road will be impaired and the value and saleability thereof reduced.

18 The Petitioners claim compensation for injurious affection as a result of the diminution of the value of the Petitioners Property as a result of the proposed works and the acquisition of temporary or permanent rights in the Petitioners Property. Their rights, interests and property are injuriously affected by the Bill.

19 Your Petitioners humbly ask that funds be set aside which provide realistic compensation and/or if there is a limited fund, that its distribution should not favour rural rather than 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 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.

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DAVID EDWIN GOODMAN.

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GAIL MARIE GOODMAN.

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-4

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HIGH SPEED RAIL (LONDON
WEST MIDLANDS BILL)

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PETITION OF DAVID EDWIN GOODMAN
AND GAIL MARIE GOODMAN

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AGAINST, by Counsel &c

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