

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013 - 2014

HIGH SPEED RAIL (LONDON TO 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 BICKERTON'S AERODROMES LIMITED
The Tower, Denham Airport, Denham, Buckinghamshire, UB9 5DE

SHEWETH as follows:-

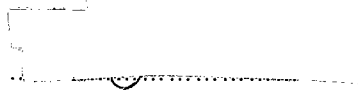
1. A Bill (hereinafter referred to as "the Bill") has been introduced and is now pending in your honourable House intituled "A Bill to make provision for a railway between Euston in London and a junction with the West Coast Main Line at Handsacre in Staffordshire, with a spur from Old Oak Common in the 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 Petitioner hereunder, Bickerton's Aerodromes Ltd, is the owner and operator of Denham Airport in Denham, Buckinghamshire and a statutory undertaker by virtue of The Civil Aviation Act 1982.
8. Your Petitioner is concerned that the construction and operation of the high-speed railway and associated development at Denham poses a risk to the commercial and employment activities undertaken by Bickerton's Aerodromes Ltd. The current plans for HS2 mean activities will be significantly disrupted due to the hazard introduced by the Colne Valley Viaduct proposed as part of the Authorised Works.
9. Safety of flights at Denham Airport
 - 9.1 Your Petitioner is concerned about the adverse impacts on the amenity of Denham Airport that would arise due to the construction and operation of the high-speed railway and associated development, in particular the proposed Colne Valley Viaduct.
 - 9.2 Your Petitioner is concerned that the proposed Colne Valley Viaduct would introduce a hazard to the safety of flights at Denham Airport due to its design, including its proximity to the runway, its proposed elevation and overhead gear.
 - 9.3 Your Petitioner is concerned that adequate consideration has not been given in the design of the Colne Valley Viaduct to avoid foreseeable risks to the safety of flights at Denham Airport and that the proposed viaduct has not been adequately risk assessed.
 - 9.4 In order to minimise the impact of the proposal, the Petitioner requests that prior to construction the Petitioner should be consulted meaningfully on the detailed drawings and plans for the Colne Valley Viaduct.
 - 9.5 Your Petitioner submits that those responsible for the design of the Colne Valley Viaduct are best placed to address the risks to flight safety introduced by the Colne Valley Viaduct and the Petitioner submits that the nominated undertaker should be required to follow good practice and 'design out' risk. The Petitioner requests that the nominated undertaker should be subject to binding mitigation measures to mitigate the risks.
 - 9.6 HS2 Ltd proposes to create a wetland and plant trees on land that is currently open agricultural land to the north of Denham Airport. This land is at present available as a forced landing area to aircraft which suffer mechanical malfunction, which has happened on multiple occasions. The Petitioner requests that the Petitioner should be consulted meaningfully on the detailed plans for the reinstatement of land to the north of Denham Airport within the Denham ATZ (Aerodrome Traffic Zone).
 - 9.7 Should ground equipment become necessary or desirable at Denham Airport (such as approach slope indicators, approach lighting, glide slope indicators) or should runway realignment become necessary or desirable as a result of the Authorised Works, the Petitioner requires an indemnity from the nominated undertaker against any such costs.

- 9.8 The proposed Colne Valley Viaduct is within 1000m of the runway at Denham Airport. However, HS2 Ltd has put forward no proposals for the rescue of pilots and passengers from aircraft (or indeed the rescue of train passengers) from the proposed Colne Valley Viaduct in the event of an aircraft accident involving the proposed viaduct. Also, HS2 Ltd has put forward no proposals for stopping trains in the event of an aircraft accident. The Petitioner submits that the nominated undertaker should be required to publish a rescue and evacuation plan prior to construction.
10. In light of the above, the Petitioner reserves the right to raise the above matters and any further matters of concern relating to the substance of the Bill and this Petition that may arise from continuing discussions, the preparation and publication of reports, any possible revisions that may be made to current work site proposals or any other matters relevant to our expressed concerns that may occur in due course and prior to our representation before the Select Committee.
11. For the foregoing and connected reasons your Petitioner respectfully submits that, unless clauses of the Bill are removed or amended, then the Bill should not be allowed to pass into law.
12. There are other clauses and provisions in the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and their rights, (including their human rights) interests and property and for which no adequate provision is made to protect your Petitioner and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

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 such of the clauses and provisions of the Bill as affect 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 Petitioners will ever pray, &c



Airport Manager
Bickerton's Aerodromes Ltd

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AGAINST, By counsel, &c

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