

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013–14

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 Mr Richard Booth of 4 Mornington Place, London NW1 7RP

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 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 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 and Schedules 2 and 3 to the Bill.

7. How your Petitioner is specially and directly affected

7.1 Your Petitioner has lived at 4 Mornington Place for just over 20 years. It is his only place of residence. He is 74 years of age. His wife is 70.

7.2 The Street

Mornington Place runs east/west from Mornington Crescent to Mornington Terrace. There are approximately 30 residences, a mix of early Victorian houses, modern houses, and modern council owned properties, some reserved for those with physical disabilities.

At the "top" (eastern) end of Mornington Place lies the railway Cutting which will bring HS2 trains into Euston. Your petitioner is some 70 metres from the Cutting walls. But the trains are not a noise problem. *The problem is being in the middle of the HS2 construction works for such a long period.*

7.3 The Bill

Your Petitioner will be specially and directly affected.

The impacts on Mornington Place specifically mentioned in HS2 documents are:

- the use of Mornington Place as a "construction traffic route" linking the major compounds in the Euston Station area with the works in the Cutting (see Map CT-05-001 in London and West Midlands Environmental Statement Vol 2 Map Books, CFA1, November 2013): *this quiet suburban street will be an artery for construction traffic for 10-15 years.*
- Day time construction noise for 4 months during work at Park Village East with highest monthly noise levels around 80Db
- Night time construction noise for 3 months during Mornington Street bridge demolition with highest monthly noise levels around 65Db

(Pages 185-86, London West Midlands ES, Vol 2 CFA 1, November 2013, document ES 3.2.1.1)

But there are wider concerns, fully set out in other petitions such as that from the Camden Cutting group, relating to *the prolonged and wide ranging nature of construction works and their impact on daily life of the community of which Mornington Place is a part.*

A key factor is my proximity to 3 local satellite compounds and to the railway cutting itself, generating a very large amount of construction works, all of which will increase the effect on the air quality, volume of noise, and volume of traffic.

The Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to take at least 10 to 17 years to complete (depending on the final plans for Euston Station), and will include hugely increased lorry movements (as there have been no significant lorry movements in the past in the street), the creation of dust and noise, and poor air quality.

Furthermore, there is, in every section, a clause to allow HS2 to work 24 hours a day, 7 days a week, if operational requirements demand it. *This in a dense residential area.*

The only compensation offered your Petitioner, the Need To Sell Scheme, requires me to prove that I “need” to move, and the conditions are restrictive. Your petitioner believes that if he wishes to move he should be able to do so, and to claim compensation for losses suffered in the same way as those in rural areas. And he believes that steps must be taken to mitigate the impact on his community.

8 Relief Sought

Your petitioner makes these proposals:

8.1 Compensation

Compensation should be fair and proportionate for all those affected by the construction works, and not just those in rural areas.

The proposed Rural Support Zone scheme should be extended to my locality through a Camden Support Zone, designed to tailor the compensation arrangements to local needs, as the Rural Support Zone does.

The Voluntary Purchase scheme, offered to rural areas, should be available under broadly the same conditions to residents like me living within an area of prolonged and intensive construction activity

A *Personal Mitigation Budget* scheme should be introduced. If I did not move house this would be the best and most flexible way to recognise my personal circumstances (and those of others, all slightly different). I could then decide whether to evacuate the area for a selected period or have alterations done to my property. There is a precedent in Railtrack’s cash payment to local residents with respect to night-time working in 1999.

8.2 Involvement in Local Environmental Management Plan (LEMP)/ Local HS2 office

I support the proposal for an independent local office in this area to oversee impartially the implementation of all forms of compensation and mitigation. There should be regular meetings with HS2 representatives during and after the scheme's construction works to update Your Petitioner on the progress of the scheme and any problems likely to arise. It is valuable to involve local council members and officers in LEMPs but there should also be street by street involvement, *including a representative from Mornington Place*, in recognition of its position as a construction traffic artery.

8.3 Working Hours

The current plans which allow night-time working across a wide range of activities in my neighbourhood should be revised: all exemptions to the normal working hour limits should be justified on a case by case basis to the LEMP.

The practices of HS2 and its contractors and sub-contractors should be independently policed and Fines should be levied on Construction operators for any breaches of what is agreed.

8.4 Noise and Air Thresholds

The noise and air thresholds proposed in the draft Code of Construction Practice are based on BS5228 and assume temporary disturbance. They are not strict enough for a residential neighbourhood experiencing disturbance over many years. I propose that for Mornington Place they be

For temporary re-housing to be triggered:

70bD during the day on week days

65 bD during the day on Sundays

55 bD at night

These trigger levels to be applied if the levels are reached on any 5 days in 15, or 20 days in six months

For insulation to be triggered:

65 bD on week days

60 bD on Sundays

55 bD at night

Air pollution in Mornington Place should be monitored regularly to assess the impact of the road being a construction traffic artery. Work should stop if pollution levels exceed those set out as a threat to health in World Health Organisation guidelines.

8.5 Screening

I request that the screening arrangements proposed by HS2 should be designed by experts in acoustic protection and should be as near to the works as possible

8.6 Traffic

I request that

HS2 make maximum use of rail rather than road for the transport of materials, to minimize lorry traffic on this residential street.

Lorry speeds (when both full and empty) on the street be limited to 5 mph.

There be no lorry traffic between 2200 hours and 0700.

All vehicles be "zero emission" vehicles.

Fines be levied on contractors whose vehicles break these rules.

For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, so far affecting Your Petitioner, should not be allowed to pass into law.

YOUR PETITIONER therefore humbly prays your Honourable House that the Bill may not be allowed to pass into law as it now stands and that it may be heard by its 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 Petitioner and in support of such other clauses and provisions as may be necessary or expedient for its protection, or that such other relief may be given to Your Petitioner in the premises as your Honourable House shall deem meet.

AND Your Petitioner will ever pray, &c.

Mr Richard Booth

Signed:



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Against the Bill -On Merits -By Counsel &c

1) By Mr Richard Booth

2) Address:

3) Telephone number:

4) Email: