

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – Praying to be heard in person.

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

**THE HUMBLE PETITION of GEOFFREY TITLEY, JEAN THOMSON and PETER PARR**

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 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. Your Petitioners are Geoffrey Titley, Jean Thomson and Peter Parr leaseholders of property in Arlington Road, Camden Town.
8. Your Petitioners and their interests are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
9. Having reviewed the bill and associated documents Your Petitioners are concerned that their quality of life will suffer as a result of this development due to noise, air pollution, visual pollution, traffic congestion, access to parking and public transport, community cohesion, permanent damage to the built environment and the parks and green spaces, the ability to sell their properties and move if they so wish and furthermore, the length of time (10 years +) that the construction work will take.
10. The impact of this development on the neighbourhood in which your Petitioners live will be enormous. When working from home, the effect of noise from heavy construction traffic re-routed through the neighbourhood, together with the additional traffic from other road users diverted along Arlington Road as a result of disruptions caused in the area by HS2 construction will impact the ability to concentrate and work effectively. The noise of machinery and construction work in the Camden Cutting which is approximately 200 metres from our properties will disrupt daily life and the enjoyment of our properties Monday to Friday 8am-6pm and Saturday morning 8am-1pm. Currently Saturday mornings and Sunday mornings are a time of quiet in this neighbourhood and in general at all times the current noise levels are acceptable. It is not difficult to imagine the huge affect a 10 year plus, civil engineering project will have on the peace and quiet which form the basis of our enjoyment of our properties.
11. There is also the added factor of "out of hours" work which will take place. There is no indication as to how much work will occur "out of hours" or for that reason why it is necessary to work "out of hours" as very little information has been communicated by HS2 Limited to date. If cost is the main reason for carrying out "out of hours" work then it might seem that a group of citizens living in proximity to the Camden Cutting should not suffer disproportionately to any other citizens in the UK so that the HS2 construction companies can increase profits and/or the nation as a whole can benefit because of cost savings while citizens in the Camden Cutting neighbourhood suffer an imposition of enormous proportions.
12. According to the Camden Council website "air pollution is linked to 4,300 premature deaths every year in London. Air pollution is also linked to heart and lung disease, cancer and asthma. Central London experiences some of the worst air quality in the UK and the whole of Camden has been declared an air quality management area." Given this rather unfortunate starting point, it is difficult to comprehend how a construction project in central Camden could take place over 10+ years and not add to the number of premature deaths, as well as incidences of lung disease, cancer and asthma. If money is being spent in an effort to reduce the health risks of air

pollution, can HS2 Ltd assure the citizens of Camden that HS2 construction in Camden will not increase the risk to residents of premature death or illness due to air pollution? What studies have been conducted to predict the effect of 10+ years of civil engineering construction in a very densely populated part of the UK on the health of individuals or the life expectancy of members of the community due to the resulting air and noise pollution?

13. Currently situated opposite our properties are a tin shed and a toilet, parked on the street. These temporary constructions are there to facilitate the replacement of lifts at Mornington Crescent Underground Station. While it is not ideal to have a tin shed and a toilet detracting from the visual aesthetic of the street they are only in place for months and not years. In the case of HS2, the visual aesthetic of construction will become a permanent fixture. A neighbourhood with construction hoardings and construction equipment as the permanent dominant aesthetic is not what would be chosen by a majority of citizens as a desirable place to live. Given that the average time (median) householders in England had lived in their home was 8 years (owner-occupiers, 11 years followed by social-renters 7 years) – ONS 2008/09 Social Trends 41 published 2011, it would seem that on average householders will only know this neighbourhood through the visual aesthetic of construction.
14. The bill indicates that the majority of trees in public spaces between Euston and Hampstead Road Bridge will be removed together with other trees between Hampstead Road Bridge and Parkway to the west of Camden High Street. St George's Gardens and burial ground will be lost and in addition the car park for London Zoo will become a construction depot. This will also affect the aesthetic and ecological aspect of our environment. Losing St George's Gardens is a further loss of public space in a trend of converting public into private, the affect of which on the social fabric of our communities, is unmeasured.
15. The planned works over a minimum of 10 years in the area from Euston Station to Parkway will involve many road closures and disruption to normal underground transport and bus services. Residents of this area will suffer because journey times will be increased and public transport routes will be disrupted with schedules changing regularly to accommodate the requirements of HS2 construction. Residents will see a significant reduction in the number of parking bays available.
16. By routing HS2 into Euston residents and businesses surrounding the railway cutting from the Parkway bridge to the Hampstead Road bridge are being unfairly asked to suffer 10 years plus, of construction work which will disrupt their daily lives and for the most part these taxpayers will be discriminated against in that they will not be given any compensation for this disruption. People choose a place to live based on many known factors. In the normal course of life, unexpected events will occur which will impact a person's enjoyment of their home. In most cases the person can deal with the unexpected events because they will be of known and limited duration. What is striking about HS2 is that it is impacting severely and for an extended period on the lives of residents of this community. It is unfair that a government should treat some citizens in such a way as to insist that they should disproportionately shoulder the burden of a construction project that is for the benefit of the nation as a whole. People affected by HS2 who are not being fairly compensated for the disruption to their lives are being unfairly discriminated against. In particular, those property owners who are not wealthy and who are

moving into old age and who are not compensated for the blight of their property and the disruption to their daily lives that they experience will suffer unduly and unfairly when compared to a group of similar citizens in other locations in London.

17. Finally, we live in an era when citizens are starting to question the effective working of democracy. A project such as this has huge implications to the treasury and indeed a high profile for a government that promotes fairness to all citizens in a participatory democracy. It is important therefore, that in implementing this project, the government is seen to value the democratic process and to present this project as a model of how a major infrastructure project should be conducted. To that end it should adequately compensate citizens who are directly affected by the project in the same spirit as it will ensure that the business institutions that stand to gain financially from HS2 contracts will not be expected to carry out the projects without adequate and fair remuneration.
18. For the reasons given in this petition, your Petitioners respectfully ask that the proposed scheme be varied in the following respects and that appropriate amendments to the Bill be made accordingly:
19. That all tenders for work on HS2 construction are based on what are defined as normal working hours in the bill and that only in very rare circumstances would work outside of normal working hours be permitted.
20. That in the case of work outside of normal working hours being allowed, compensation would be paid to all residents/businesses affected. The amount of compensation would reflect the fact that the "out of hours" working was an exceptional occurrence and not simply a fee worth paying. With regards to the Camden Cutting, the area of affected residents/businesses would be pre-determined by proximity to the rail track and would take into account time of day, duration, construction traffic movement, air pollution, noise and vibration.
21. The draft COCP contains requirements that the undertaker should have procedures in place to monitor levels of air and noise pollution. The COCP should include clauses that indicate the levels of noise and air pollution at various measuring points in the Camden Cutting neighbourhood in each of the 12 months prior to any construction work commencing. The COCP should then stipulate that if any monthly levels are exceeded, financial penalties will apply. These penalties should be set at a level that would act as a deterrent to contractors flouting the COCP rules. Any penalties collected would form the basis for compensation to residents/businesses affected.
22. A comprehensive study should be undertaken to ascertain the actual effect of this construction project on the communities (including residents, businesses and visitors) through which it passes. It should cover all aspects such as noise and visual pollution, transport etc. as mentioned earlier in this petition. This should include a pre-commencement study to act as a benchmark to regular six-monthly monitoring studies. This would then enable a fuller understanding of the actual impact on the quality of life of residents, businesses and visitors and form the basis for compensation payments due as a result of the impact of this project on the lives of citizens. Such a programme would show willingness and transparency on the part of government to minimise the undue effect of major infrastructure projects on people's lives. It will also help to ascertain the true cost of this development, just as

many projects are commissioned to ascertain the true benefits of it.

23. A general level of compensation should be paid on an annual basis to residents/businesses in the Camden Cutting area inconvenienced by the HS2 construction project. This would be compensation for the undue inconvenience of traffic congestion, noise pollution, air pollution, visual pollution and health risk etc. suffered. The compensation is to balance the unfair burden these citizens will suffer in comparison to citizens living elsewhere during this inordinately long construction project. A panel of local residents and representatives from Camden Council and the undertaker as well as central government should operate the compensation system. Included in this compensation programme should be an amount that is paid to Camden Cutting residents to compensate for loss of their peaceful Saturday mornings which will be polluted with construction noise as a result of becoming part of the normal working hours for this project.
23. In order to reduce the disruption of HS2 construction on the lives of citizens living in Camden an alternative to the planned route via the existing Camden Cutting should be considered. This alternative is for the HS2 line to go underground and operate through tunnels under the existing lines into Euston. Such a plan has been agreed for HS2 through The Cotswolds after citizens there voiced their disapproval to proposals for a high speed rail line through their communities. If it is appropriate to tunnel a section of the HS2 route through this rural area then it must also be feasible to tunnel a section in central London which would reduce the expected impact on a far greater number of citizens.
24. Property owners whose property prices are affected by HS2 construction should be guaranteed the equivalent market value of their property if construction blight had not occurred if they choose to sell their property regardless of the reason for doing so. A database of prices of property sold in the area of central Camden should be developed so that monitoring of the effect of HS2 construction can be made. This database should also contain information on the numbers of properties for sale, sold and also the length of time the property is on the market and the number of views each property receives.
25. In order to avoid disruption to the daily lives of citizens living in the vicinity of the Camden Cutting, to prevent an increase in pollution related illness and death, and to avoid the cost and administrative procedures associated with adequately compensating residents who suffer permanent inconvenience and disruption to the normal daily enjoyment of their property, an alternative terminus for HS2 in London should be implemented. This terminus should be Old Oak Common where perfectly good and rapid transport connections are possible to all parts of London.
26. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, should not be allowed to pass into law.
27. 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 Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioner will ever pray, &c:

[Signature of Petitioner in person, or Agent for the Petitioner]

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PETITION

of

Geoffrey Titley, Jean Thomson and Peter Parr

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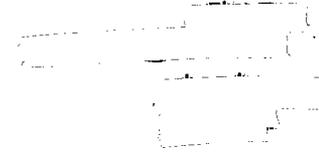
AGAINST THE BILL,

ON MERITS  
BY COUNSEL, &c.

Geoffrey Titley



Peter Parr



Jean Thomson

