

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

High Speed Rail (London – West Midlands) Bill

Against the Bill – on Merits – Praying to be heard by counsel, etc.

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

THE HUMBLE PETITION OF Cynthia Waterhouse

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 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 Secretary Patrick 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, 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 compulsory acquisition, the extinction and exclusion of rights over land, the temporary possession and use of land, planning permission and deregulation in connection with, inter alia, heritage and environmental matters. Clauses 37 to 52 deal with railway matters, nominated and statutory undertakers, regeneration and reinstatement and further high speed rail works. Clauses 53 to 65 contain miscellaneous and general provisions.
4. The nominated undertaker (defined in the Bill and hereinafter referred to as “the nominated undertaker”) is authorised by the Bill to construct and maintain the works specified in Schedule 1 to the Bill being works for the construction of Phase One of High

Speed 2 and works consequent on or incidental to such works. These works are called “the scheduled works”.

5. Your petitioner (hereinafter referred to as “the Petitioner”) lives at 7 Honey Banks, Wendover, Bucks HP22 6NA. She has lived there for 22 years, and previously lived nearby at Ellesborough for over 35 years. She is 92 years of age. The Bill would authorise the construction and operation of the railway through and near Wendover. The proposed line would run some 750 metres to the south-west of her house.

6. Your Petitioner and her interests are injuriously affected by the Bill, to which your Petitioner object for reasons, amongst others, hereinafter appearing.

7. Your Petitioner will derive no benefit of any kind whatsoever from HS2, and accordingly suffer twice, firstly as a taxpayer having to fund it, and secondly by being subject to the disruption caused by construction and the permanent blight caused by operation.

8. Your Petitioner’s property is shown in the Zone of Theoretical Visibility in ES 3.5.1.7.2., and in maps LV-03-037 and SV-05-019.

9. Your Petitioner has been the recipient of letters and information in the post from HS2 Ltd, which indicate that it considers that she is affected by the Bill.

10. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken in and near Wendover between Little Missenden and Stoke Mandeville. These works consist mainly of Wendover Dean viaduct; a cutting from the northern end of the Wendover Dean viaduct to Hartley Farm; an embankment between Hartley Farm and Road Barn Farm; Small Dean viaduct; and an embankment between the northern end of the Small Dean viaduct and the southern end of the Wendover green tunnel. They include ancillary works such as satellite compounds, auto-transformer stations, balancing ponds and portal buildings.

11. Your Petitioner’s main objective is to persuade your Honourable House to lower the line into a fully-bored tunnel through the whole of the Chilterns Area of Outstanding Natural Beauty.

Problems caused by the construction process of the scheduled works

12. Your Petitioner avers that during construction of the scheduled works there would be the following effects:

13. Disruption of traffic and substantial delays along all local roads, caused by around 300 HGVs per day, especially the A413 and the B4009.
14. A serious strain on local community services such as the Wendover Health Centre, to which she is a regular visitor, and the police, caused by an influx of construction workers.
15. Dust caused by chalk and soil from construction and excavation.
16. Substantial damage to this part of the Chilterns Area of Outstanding Natural Beauty with its exceptional natural beauty and legally protected landscape, e.g. at Hunt's Green, where over 800 cubic metres of spoil is to be dumped.
17. Substantial damage to the local cultural heritage, including St Mary's Church, which she visits for cultural occasions.
18. Disruption to power supplies caused by the need to move the electricity pylons near the line.
19. Disruption to footpaths.
20. Noise from machines digging the green tunnel, moving spoil, constructing embankments and viaducts and traffic connected with that, leading to inability to concentrate during the day, and inability to sleep at night. In particular the projected night-time noise will be substantially above World Health Organisation guidelines. The noise projections given out by HS2 Ltd have been of average noise, rather than maximum noise which has the greatest and most harmful effect. Further, the Department for Transport has not used the proper targets for new projects, but has used those for upgraded existing lines.
21. Light over the construction area causing light pollution.
22. The effect on the value of your Petitioner's property, which has already suffered blight for over four years, and will continue to do so throughout construction and afterwards.

Problems caused by the completed works

23. Your Petitioner avers that the completed proposed scheduled works would have the following permanent effects:
24. The noise from these trains would cause an intolerable strain upon your Petitioner's life and affect her sleep. At the distance from the line where she lives the noise would be spread over a longer time period. The period during which the noise would be heard would

be longer than periods without noise. This is in an area which is at present one of peaceful tranquillity.

25. The value of your Petitioner's house has already been adversely affected, and would continue to be so on a permanent basis.

26. The damage to local facilities would be substantial, both those of value to your Petitioner such as St Mary's Church for its community uses, those of value to young people such as the skateboard park, and those of value to Wendover as a community such as the cricket ground, which would be destroyed,

The benefits of a fully-bored tunnel

27. Your Petitioner proposes that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover. This would avoid most of the disadvantages set out in paragraphs 13-22 above and all the disadvantages set out in paragraphs 24-28 above.

28. Chiltern Ridges Action Group (CRAG) and Chiltern District Council have both proposed such a fully-bored tunnel in reports by Peter Brett Associates. HS2 Ltd has confirmed that from an engineering and construction point of view the CRAG tunnel is feasible.

29. HS2 Ltd has said that the CRAG tunnel would cost £330 million more than the present proposal. However, it has refused to divulge any detail of this figure, or even the tender documents on which it was based, and there is considerable speculation that the figure is seriously exaggerated.

30. Moreover, HS2 Ltd has not taken into account the value of the benefits which a fully-bored tunnel would bring, such as the money saved by not having to compulsorily purchase properties and land, or move electricity pylons, and not damaging the environment. These benefits are valued at over £500 million.

31. For the foregoing and connected reasons your Petitioner respectfully submits that the case for a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover is overwhelming, and that, unless the Bill is amended by the inclusion of such a tunnel, then the Bill should not be allowed to pass into law.

Mitigation for construction of a fully-bored tunnel

32. If a fully-bored tunnel is included in the Bill, your Petitioner proposes that at least the following mitigation be adopted for its construction:

33. That the operation of construction traffic on the A413 and the B4009 only be permitted during the agreed working hours, excluding rush hour (7-9am and 5-7pm) on weekdays.
34. That the number of construction vehicles using local roads be limited, and at all times be such as not to inconvenience other road users.
35. That the removed spoil should not be permitted to be dumped in the Chilterns AONB, and that all spoil should be removed by rail, not road.
36. That a traffic management plan be agreed before construction starts with the local county, district and parish councils, such plan to go to arbitration if agreement cannot be reached..
37. That the permitted working hours for all matters relating to construction be strictly limited to 8am to 6pm on weekdays, 8am to 1pm on Saturdays and not at all on Sundays, with an hour before and after for start-up and close down.
38. That acceptable noise levels be agreed before construction starts with the local county, district and parish councils, such noise levels to go to arbitration if agreement cannot be reached.
39. That noise levels be monitored on a frequent and regular basis by an independent organisation, with the result of such monitoring being immediately made public.
40. That artificial lighting at construction areas be limited to working hours.
41. That the maximum level of toxic traffic emissions from construction traffic be agreed with the local county, district and parish councils before construction starts, such emission level to go to arbitration if agreement cannot be reached.
42. That funding be made available to Wendover Health Centre and local hospitals for the provision of any necessary additional facilities to cope with increased health problems, such as sleep disturbance, respiratory illness and hypertension, and including those caused by traffic emissions and dust created by the construction of the scheduled works.
43. That funding be made available to the local police force for increased staffing likely to be required due to the advent of a substantial construction workforce.

44. That full compensation for damage to property or loss in property value caused by construction of the scheduled works be available to all those who suffer such loss, irrespective of distance from the line.

45. That the maintenance loop at present proposed to be located to the north of Wendover be moved to an area where there are much larger permanent works scheduled.

46. That the Code of Construction Practice, and regulations and agreements dealing with all the above matters in paragraphs 33 to 43, be legally enforceable both at criminal and civil law, with civil law breaches being first dealt with by an Ombudsman, and the local county council having the right to bring both criminal and civil proceedings.

Mitigation for construction of the present proposal

47. However, if the proposal for a fully-bored tunnel is rejected your Petitioner proposes the following mitigation:-

48. That the existing proposed green tunnel be extended to the south and north of Wendover.

49. That the Wendover Dean and Small Dean viaducts and adjacent embankments be of high quality infrastructure to be made as visually pleasing as possible, with enclosures and with the maximum use of noise barriers on both sides to minimise the damage to nearby residential accommodation, Wendover House School and St Mary's Church.

50. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow quickly to at least forty feet high, in order to conceal the line from view at the earliest possible time.

51. That the mitigation proposed in paragraphs 33 to 46 above be adopted.

Mitigation for the operation of the line

54. If the line does go ahead, the following mitigation is proposed for the operation of the train:-

55. That the speed of the trains be reduced as per the recommendation of the House of Commons Environmental Audit Select Committee Report, in order to help reduce the environmental impact.

56. That there be a legally enforceable noise limit covering the whole of Wendover and Dunsmore with substantial penalties for breach.

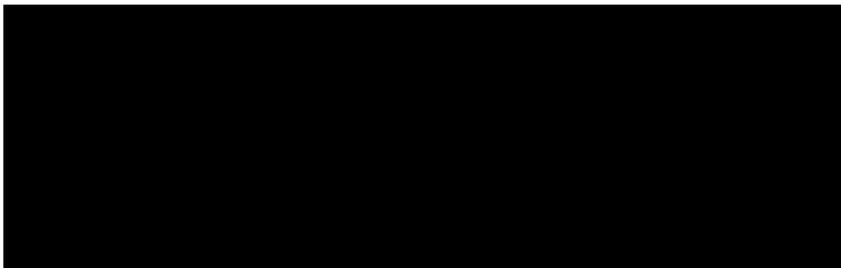
57. That full compensation for damage to property or loss in the value of property or business caused by the operation of the line be available to all those who suffer permanent blight due to such damage or loss irrespective of distance from the line.

58. That the maximum amount of planting be used, at the earliest opportunity and with the use of mature trees able to grow quickly to at least forty feet high, in order to conceal the line from view at the earliest possible time.

59. That, based on the example of HS1, a Community Fund of at least £25 million be established for the benefit of Wendover, Dunsmore and Halton, none of which will benefit from HS2 in any way whatsoever.

YOUR PETITIONER therefore prays 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 Counsel, Agent and witnesses in support of the allegations of this Petition against such of the clauses and provisions of the Bill as affect the rights and interests of your Petitioners and in support of such other clauses, amendments or 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 may deem meet.

AND your Petitioner will ever pray, etc.



Rall B Agent.

Roger William Waller

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013- 14

HIGH SPEED RAIL
(LONDON-WEST MIDLANDS)
BILL

PETITIONER Cynthia Waterhouse

AGAINST, By Counsel, &c.

Cynthia Waterhouse

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