

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-2014

HIGH SPEED RAIL (LONDON – 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 ANTHEA ELIZABETH DENISE HARTLEY

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.

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- 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 Anthea Elizabeth Denise Hartley is a joint freehold owner of, and resident at, Lower Bassibones Farm, Ballinger Road, Lee Common, Great Missenden HP16 9LA and the joint freehold owner of Cooks Cottage, Princes Lane, Lee Common, Great Missenden, Bucks HP16 9JW. and the joint freehold owner of Inglenook Cottage, Oxford Street, Lee Common, Great Missenden, Bucks. HP16 9JY.

- 8 Your Petitioners and her rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.

Your Petitioner has resided and farmed at Lower Bassibones Farm in Lee Common for the past 24 years, mainly breeding sheep, and now that she is over the age of 65 years she would like to be able to consider adopting her original plan of downsizing her home and retiring from the physically demanding activities associated with farming when she reached the age of 70 years. Lee Common, and hence your petitioner, will be severely affected during the construction of HS2 and this area of The Chilterns AONB will be permanently damaged by the operation of HS2 reducing its attraction as a place to live and to enjoy which will further affect your Petitioner. Your Petitioner will be directly and adversely affected by HS2 for the reasons set out below.

9 **Damaging of your Petitioner's Capital Investment and consequential Financial Provision for her Retirement and Old Age.**

Your Petitioner's reasons for purchasing the two cottages in The Chilterns were:

to invest their savings in a relatively safe commodity ie: the property market which has remained reasonably stable in the Chilterns area during the recent years of recession and low bank interest rates to savers.

Also to be able to subsidise her State Pension in her old age when she will be unable to work and will require funds to pay for a residential care home, to employ additional home help, pay medical expenses and to further relieve the State by purchasing her own private medical insurance.

As encouraged by the Government, your Petitioner has taken responsibility for providing for her old age by saving, managing and investing her money and not relying solely on the Government's State Pension for support. Her investments and financial management has been made to produce a moderate income and to maintain an acceptable standard of living during the final years of her life. These investments and provisions for her old age are now under threat by the construction of HS2 through The Chilterns.

In order to cover the cost of your Petitioner's mortgage repayments, maintenance expenses and administration costs, the two cottages are currently rented as holiday lets. Your Petitioner believes that during the construction of HS2 through the Chilterns AONB, and afterwards during the operating of HS2, your Petitioner will be unable to rent her cottages as Holiday Lets or Short Term Rentals and that the tourist industry in The Chilterns will be permanently damaged. The outstanding natural beauty of the lanes and hedgerows and the quintessentially English villages, such as The Lee and Lee Common, will be ruined and sacrificed for the constructing of HS2. Tourists will be deterred from visiting The Chilterns because of the scarred landscape, congestion of local traffic, the presence of HGVs and heavy construction equipment, the loss of natural habitats and the country roads having become unsafe for walkers, horse riders and cyclists.

As has already been proven to be the case, the house market in the Chilterns area is completely blighted and will remain so even after the HS2 project is completed. The Perceived Blight is a further problem: HS2 is a highly controversial project and the media coverage has been extensive. The Chilterns are now synonymous with the HS2 controversy and the local property market will surely be effected for very many years to come.

Because your Petitioner's properties are situated approximately 1.25 miles from the proposed HS2 rail track, they do not fall within the compensation areas and as a consequence her two investment properties and her home (her largest asset) will be compromised in value if the HS2 project is routed through the Chilterns AONB. Furthermore, your Petitioner will have to continue to pay the two mortgage

repayments regardless of whether the rental properties are occupied by tenants/visitors or not. So too must she continue to pay for the maintenance of the rental properties: council tax, electricity, heating, water, garden maintenance, advertising and part-time employee's wages - all the costs appertaining to the up-keep of her property whilst the demand for rental properties will diminish or completely disappear.

Holiday Lets and Short Term Lets will not be required by tourists and visitors to The Chilterns if HS2 goes ahead in its current form. Furthermore, if your Petitioner decide to sell her home and holiday cottages in Lee Common, driven out by the construction and operating of HS2, she would be unable to re-invest her savings into property due to the Petitioner's age. Your Petitioner recently made enquires about obtaining a mortgage but was advised that it would not be possible due to her advanced age ie: over 65 years. Therefore, your Petitioner finds herself trapped in a situation whereby she could not sell her property for a realistic market price and she could not buy elsewhere, in consequence she is locked into farming and unable to retire in the foreseeable future.

10 The construction of HS2 will have a detrimental effect on local employment and the tourism in The Chilterns.

The construction of HS2 will also have a detrimental effect on local employment associated with tourism. Your Petitioner currently uses several local self-employed, part time people on a regular basis: a professional gardener, a lawn maintenance person, a domestic cleaner, a general handyman, two farm assistants, an ironing lady and a farming contractor to name but some. Consequently these people will also be affected by the downturn in the local tourist industry due to the destruction of The Chilterns by the building of HS2 directly through the centre of this AONB.

// The Chiltern area enjoys a reputation for its beauty, peace and tranquillity and is popular with fans of the international TV series "Midsomer Murders", being the location where the series is filmed. Visitors travel from all over England and abroad wanting to visit the Chiltern villages, especially The Lee, for this reason. This tourist attraction will also be compromised once the construction of HS2 begins and the picturesque quality of the villages and surrounding area is spoilt by HGVs, earth moving equipment and other signs of a major construction project. Once the HS2 project is completed the area, currently popular with film makers and programme makers as a quintessentially English rural location, will no longer be in demand due to a high speed train travelling through the centre of the location. Thus another valuable, local asset and source of income and employment will be lost due to the construction and operating of HS2.

12 The Local Economy will be affected by the demise of tourism due to the construction of HS2.

Tourists and visitors to the Chilterns make a valuable contribution to the already scant local economy of the rural villages. The Lee village shop is manned by volunteers and is a non-profit making facility which is essential to the residents of The Lee and Lee Common including your Petitioner. Your Petitioner's family also work in the shop on a voluntary basis and encourage their visitors to use the facility. The shop, in turn, supports local farmers and producers by stocking local goods whenever possible.

Visitors and tourists to The Chilterns AONB also contribute to the livelihood of local pubs, businesses and restaurants, shops and museums, to the upkeep of local places of special interest and to National Trust properties. Visitors to The Chilterns help justify the existence of many of the public services and council recreational facilities which are constantly under threat of closure in rural areas.

The Historic Market Towns of Amersham, Chesham, Great Missenden and Wendover, all within a three mile radius of your petitioner's properties, are rich in listed buildings and surrounded by centuries old woodlands, ancient footpaths, iron age forts and ditches and Roman remains. These ancient towns and their surroundings have been officially classified and protected as Areas of Outstanding Natural Beauty and should continue to be protected now and for future generations. Resources and local services are already under pressure in rural areas, the damage done by the construction of HS2 to the Chilterns' tourist industry, small businesses, local employment and the housing market is quite unacceptable and will have a severely adverse affect on your Petitioner's life and, in particular, her investments for her old age .

13 Mitigation steps to be taken.

The only effective step to be taken to mitigate the disastrously damaging effect that the construction and operating of HS2 will have on The Chiltern's (Area of Outstanding Natural Beauty) property value, tourism industry, and consequently on your Petitioner's investments, is for a bored tunnel to be built beneath the entire Chilterns AONB such as the CRAG T2 tunnel.

If this request is refused, the South Heath Chiltern Tunnel (referred to as the REPA tunnel in Vol. 2 CFA 9 Environmental Statement) should be built and the highest quality mitigation measures should be incorporated to the surface section of the line from the northern portal of REPA's tunnel to north of Wendover, including deeper

cuttings, 4 metre high sound barrier fencing on both sides of the track, sound absorption foundations for the tracks to be laid.

- 14 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 Petitioners will ever pray, &c.

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