

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

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 Chester Ronald O'Connor-Boyd

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.

Clauses of the Bill

- 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.
- 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.

*Your Petitioner*

- 7 Your Petitioner, Chester Ronald O'Connor-Boyd, residing 400m from the line in the parish of Greatworth in the county of Northamptonshire, which has a population of 890 (according to the 2011 census data).
- 8 The proposed route of Phase One of HS2 passes through the parish of Greatworth. The route cuts across open fields between a green tunnel and a length of cutting. The route destroys an area of ancient woodland at Halse Copse and within 100m of a working Grade II listed farmhouse. Your Petitioner is concerned by the portion of the route that is between the green tunnel and the cuttings 2.5kms southeast of the tunnel portal.

*Your Petitioner's Concerns*

- 9 In summary, your petitioner is concerned that although the principle of HS2 has been established by the second reading of the hybrid bill, he feels that the cost of the project is being squarely placed at the feet of communities such as Greatworth. Being situated almost at the mid point of the line, residents are unlikely ever to use the line. There is no local transport infrastructure that will see a benefit from the users of the line switching services. However, we have seen property values drop substantially, residents facing the prospect of years of misery and disruption during construction and then the on-going nuisance when the line is in operation.
- 10 Each of your Petitioner's concerns is explained more fully below and solutions to his concerns identified. Your Petitioner recognises, however, that other solutions to these concerns may be brought forward and, insofar as those are to be preferred, he would wish to associate himself with them.
- 11 Your Petitioner's concerns relate to issues relating to noise, construction traffic, height of line, compensation, woodland and wildlife, siting of compounds and Public Rights of Way.

*Compulsory acquisition powers for regeneration*

- 12 Your Petitioner is concerned about the powers to acquire land and rights in land compulsory set out in clauses 4 of the Bill, and believes that the powers sought go beyond what is required to achieve implementation of HS2. The powers under clause 47 to acquire land for regeneration and other purposes are unprecedented, unnecessary and only serve to create additional property blight.
- 13 Your Petitioner seeks an assurance that the Secretary of State will acquire no greater amount of land than is reasonably required for the construction and operation of the works authorised by the Bill. Your Petitioner requests that the Bill and the deposited plans be amended to exclude land that is not required, or that the Secretary of State be required to enter into legally binding agreements with land owners saying that land that is not required will not be compulsorily acquired. Your Petitioner respectfully requests that clause 47 be removed from the Bill.

## *Noise*

- 14 Your petitioner is gravely concerned about the impact of noise on the tranquillity of South Northamptonshire, which has recently been ranked as the third best place to live in the whole of the United Kingdom by the Halifax Building Society. South Northamptonshire Council has carried out local noise monitoring and has evidence that the local dBA level is typically between 25 and 35, measured at six locations in the district within 200m of the proposed line, a mere fraction of what it will be when the proposed railway line is in operation. Noise is one of the most widespread concerns in this area and many of the mitigation requests are related to a desire to reduce the intrusive noise of ultra-high-speed trains in this currently tranquil countryside. Communities in Whitfield, Brackley, Radstone, Greatworth, Thorpe Mandeville and Boddington have all expressed significant concerns about noise.
- 15 The existing promoter guidance is that noise mitigation is not considered necessary where average decibel levels are predicted to be below 50dBA. In short, an urban area will receive mitigation where noise levels are anticipated to rise from, for example 45dBA to 51dBA, whereas a rural area, such as South Northamptonshire could see levels rise from 25dBA to 49dBA without any mitigation whatsoever.
- 16 Your petitioner requests that the Promoter, or Nominated Undertaker, be required to provide mitigation to reduce the nuisance where ambient dBA noise levels are either predicted to be, or turn out to be, more than 40dBA during the day or 35dBA at night time.
- 17 Further, your petitioner requests that as the main driver for the proposed railway is apparently no longer speed, and as noise is directly related to speed, the night-time running speed of the railway in rural areas should be limited to no greater than 200kph during the last two hours of operation in the evening (anticipated to be from 10.00pm till midnight).

## *Construction Compounds*

- 18 Your Petitioner is gravely concerned about the impact of the proposed Greatworth Satellite Compound adjacent to Greatworth Hall. Your Petitioner anticipates that the open space and Public Rights of Way will be surrounded by intolerable construction activity, and seriously affected by noise, vibration and dust. There will also be serious visual impacts for village residents and particularly for businesses at Greatworth Hall, residents of Astral Row and Helmdon Road. This will significantly reduce the quality of life for your Petitioner, make learning difficult for the staff and pupils of Greatworth Primary School and of Greatworth Pre-School and reduce enjoyment for users of the open spaces and the Public Rights of Way.
- 19 Your Petitioner requests that the Greatworth Satellite compound should be moved to an area to the north of the Sulgrave exit of the Greatworth Green Tunnel. This would remove the many of the concerns about the visual impact of the Greatworth Tunnel satellite compound and the associated issues of traffic, light pollution and noise. There is a relatively flat area near the junction with the B4525 exit of the tunnel. This junction is required to be rebuilt as part of the construction phase and siting the compound near to this location would protect Greatworth village and its residents.

- 20 Furthermore, your Petitioner requests that the area proposed by HS2Ltd is unsuitable for a worksite but that if it has to be there, then the best means available for minimising noise, dust and vibrations, both during construction and operation, are utilised. Furthermore, your Petitioner requests that noise, dust and vibration monitoring equipment is installed at Greatworth Primary School for the duration of construction and a monitoring programme agreed with South Northamptonshire Council. If monitoring shows that the noise thresholds are exceeded, works should stop immediately until noise mitigation can be implemented.
- 21 Additionally your Petitioner requests that tree planting is carried out prior to any construction to ensure that screening is effective to some extent prior to construction.

*Construction Traffic*

- 22 Your Petitioner is gravely concerned about the impact of workers accessing the Greatworth Satellite Compound site and the impact this will have on the local road network. The B4525 is already a dangerous stretch of road with a number of fatalities having occurred in recent years. Additionally, 300 workers are expected to work from the site during the 6-year construction period. Your Petitioner is a regular user of roads in the area surrounding the proposed Compound and is concerned that the increase in road traffic will produce additional risk, create significant congestion and increase pollution in the surrounding area.
- 23 Your Petitioner requests that additional public transport is provided to bring workers to the site and that this provision is maintained after the construction phase for local use. Currently, the village is poorly served by public transport and, given the huge expense on a railway with no local stations, adding additional subsidies to the local transport provision would be welcome. Your Petitioner further requests that all traffic, HGV and workers' vehicles associated with the construction of HS2, are barred from entering Greatworth village as the roads are narrow and there is much on-street parking enhanced at school starting and finishing times.
- 24 Your Petitioner is concerned about the effects that construction traffic will have on the B4525, Welsh Road, due to the current regular use by up to 6-axle HGV traffic making the short-cut between Banbury to the M1 and Northampton as well as the local bio-mass energy plants. Your Petitioner is also concerned that Halse Road, Helmdon Road, Dump Road and Marston Hill in and around the immediate vicinity of Greatworth are not suitable for the additional construction traffic.
- 25 Your Petitioner is also gravely concerned that the temporary closure of Helmdon Road will result in considerable challenges for the users of the Greatworth schools, businesses and residents. Your Petitioner regularly uses the Helmdon Road in order to get to the B4525, access the schools, social club and access footpaths in the area and therefore will be directly affected by this road closure. The village schools require easy access to the surrounding villages in order to maintain their viability. Your Petitioner requests that Helmdon Road is kept open for local residents to use throughout the construction period. In particular, your Petitioner further maintains that the temporary closure of the Helmdon road will significantly increase the traffic exiting the village along either Halse Road or the Dump Road. Your Petitioner requests that, if Helmdon Road is temporarily closed and given the increase in traffic to and from the village, a temporary mini-roundabout is

installed at the junction of the B4525 and the Dump Road and that a 30mph speed limit is imposed at this poorly sighted junction.

- 26 Your Petitioner requests that Helmdon Road, Halse Road and Marston Road, Greatworth, are not used by HGVs at any time and that construction traffic on the B4525 is restricted to daylight hours on Monday to Friday with minimal construction traffic during rush hours, school times and at weekends. During construction, the nominated undertaker must maintain the quality of the roads to national standards and, after construction, the road must be returned to its original size and character, all damage being repaired by the nominated undertaker. A hotline should be set up to allow road users to report any damage to roads and Northamptonshire County Council, as the local highway authority, should have access to all reports in order to ensure that these are addressed in a timely manner.
- 27 Your petitioner requests that the majority of spoil-moving lorry journeys be made along the line of the rail route in order to reduce the number of journeys needed on public roads.

#### *Operational Concerns*

- 28 Your Petitioner requests that the Greatworth green tunnel be extended along the line of the route towards Radstone by a minimum of 350m, in order to remove the long-term effects that the Railway will have on the community and thus help to restore the area to the current tranquil ideal. The independent assessors report into the Environmental Statement Responses concluded that a "modest extension of the green tunnel at Greatworth would remove many of the local objections".
- 29 Your Petitioner is concerned about the design of the green tunnel portal to the north of the village. This structure will be clearly visible from the homes of a number of residents, detract from those enjoying the Public Rights of Way and will not fit in with the surrounding environment. This will have a significant negative impact on the landscape and ruin the aesthetics of the local environment.
- 30 In order to minimise the impact of the proposal, your Petitioner requests that prior to construction, Greatworth Parish Council and local residents should be meaningfully consulted on the detailed drawings and plans for the Portal building. It must be designed to fit in with the surrounding environment and be maintained to a high standard. Visual screening must be put in place and this must also be maintained to a high standard.

#### *Height of line*

- 31 Your Petitioner is concerned about the further raising of the height of the line through the Greatworth area. Through the initial consultation and in agreement with the Promoter, the January 2012 plans included the addition of a green tunnel over an apex of the line with the line then running along the base of the small valley to the south of Greatworth Hall. At the draft Environmental Statement, the line was raised by 8m such that the green tunnel was shortened by 300m and, as a consequence, the effect of noise and vibration on villagers will be increased. Your Petitioner requests that the level of the line reverts to the January 2012 plans and that the provision to allow contractors to vary the height of the line by as much as 4m as it passes the village be removed from the Bill.

- 32 Your Petitioner requests that the height of the line should revert to the track level as per the January 2012 maps being at an elevation of 152m at Helmdon Road. Your Petitioner requests that the height of the line be capped at this level between the green tunnel exit at Helmdon Road and the start of the cutting alongside Greatworth Hall. This will allow for the village to be shielded from the majority of the noise. Extending the green tunnel between these points would solve this issue. Alternatively, a new overlapping bund should be constructed from the exit of the green tunnel to the highest point of the next cutting to the south of the line and also additional sound proofing should be provided to the north of the line.

*Greatworth autotransformer station*

- 33 Your Petitioner is concerned about the landscape and visual impact of the Greatworth autotransformer station and the balancing ponds at Greatworth Hall, both of which introduce new infrastructure into the landscape. Your Petitioner will see the new infrastructure and therefore will be directly affected by the works.
- 34 Your Petitioner requests that all National Grid overhead lines serving the site are buried and that a sensitive design is used for the autotransformer station building. Its design should be produced in consultation with the local community and it must be designed to fit in with the character of the area, taking into consideration the close proximity to both the Listed Farmhouse at Greatworth Hall and the Greatworth Conservation area.
- 35 Your Petitioner request that the autotransformer station should be moved to the Northern end of the Green Tunnel at Greatworth. This would save the need for additional planting to hide the building and infrastructure from the village.

*Footpaths and Rights of Way Issues*

- 36 Whilst accepting that footpaths AN39, AN40, AN4 and AN13 are required to be temporarily closed during the construction of the green tunnel, your Petitioner requests that the replacement overbridges for bridleway AN14 and footpath AN22 are commissioned before the permanent closure of the existing bridleway and footpath. Your Petitioner further requests that the replacement overbridge for bridleway AN37 (AX37) is commissioned before the permanent closure of the existing bridleway AN37 and footpaths AN28 and AN19, together with their diverted bridleways and footpaths. Footpaths represent an important community asset to your Petitioner, villagers and those participating in the Northamptonshire County Council Health Walks scheme. The Public Right of Way is vital to your Petitioner and villagers for a number of reasons, including their health and wellbeing and as a safe vital recreational space for dog walking. The loss and/or diversions of these footpaths during the 6-year construction period will have significant negative impacts on village life.
- 37 Your Petitioner requests that any Public Rights of Way are not closed for any extended period of time. If a Public Right of Way is to be diverted, then a replacement Public Right of Way of an equal or similar length must first be provided between the same locations and it must not run parallel to the HS2 track. The replacement Public Right of Way must be planned in consultation with Greatworth Parish Council, the local community and the Health Walks Group.

### *Wildlife and Ecology*

- 38 Your Petitioner is concerned about the impacts of the loss of woodland, vegetation, specific habitat along the route through the Parish on the local wildlife and, specifically, the Barn Owl community. The loss of any wildlife habitat affects your Petitioner and the residents of Greatworth, who regularly go to the countryside to appreciate the variety of wildlife in this area.
- 39 Your Petitioner requests that habitat compensation should be like-for-like, with no net loss of habitat of comparable ecological value, and that a net gain in biodiversity/habitat compensation is delivered. This must be delivered as close as possible to the site of loss, in locations which will not be further impacted. Planting mitigation should be carried out well in advance of vegetation removal so that habitats reach their functional maturity before the original habitats are lost. Furthermore, the increased length of the green tunnel, as requested by your Petitioner, would also significantly mitigate the risks to the local diverse wildlife specific Barn Owls and Bats which, according to the HS2 Environmental Statement, risk being exterminated.

### *Water Courses*

- 40 Your Petitioner objects to the use of balancing ponds in the local area. Your Petitioner and local residents use the walks and land in the surrounding area. Balancing ponds would alter the character of this area.
- 41 Your Petitioner requests that alternatives Sustainable Urban Drainage System techniques are considered in consultation with the local authority. If balancing ponds have to be used, they should not be artificially lined. They should be used to support imaginative ecological enhancements and maintained with some water and vegetation at all times.

### *Greatworth Green Tunnel*

- 42 Your Petitioner supports the construction of a green tunnel in between Helmdon Road and Sulgrave as proposed by the Bill, thereby avoiding further detrimental impacts on the parish of Greatworth. Your Petitioner requests that this green tunnel remain part of the Bill.

### *Working hours*

- 43 Your Petitioner objects to the working hours set out in the draft Code of Construction Practice. The view seen by your Petitioner and other village residents will be directly towards the Greatworth Satellite Compound and along the construction routes. They will therefore be directly affected by the construction works and traffic during working hours for the 6-year construction period.
- 44 Your Petitioner requests that working hours in the evening and weekend are curtailed to ensure that the site does not operate 24 hours a day. Work should cease no later than 10pm and not at all on weekends. No work should be undertaken on vent shafts outside construction core hours and, should any work required outside core hours, this should be at the discretion of the local authority. Justification for any such work being carried out outside of the core hours will be required.

- 45 Although your Petitioner is aware that the Select Committee of your honourable House is unable to consider cases which object to the principle of the Bill, your Petitioner wishes to express his objection to the principle. Your Petitioner is seriously concerned over the Business Case of HS2, particularly the fact that it represents poor value for money to the taxpayer, in a country which cannot afford such an expense. Your Petitioner instead supports the alternative solution to HS2 produced by 51M. This alternative represents a much better Business Case including lower initial costs and a much greater Benefit/Cost Ratio, as reported by WS Atkins working for the Department of Transport.
- 46 Your Petitioner wishes to express concern regarding the poor provision of information supplied by the promoter, both prior to the deposit of the Bill and since the Bill has been deposited. The Community Forums, the means of communication between the promoter and the local representatives, was last held for this area on 19<sup>th</sup> September 2013 and was the final one to be held. Your Petitioner requests that this process, or something akin, be recommenced and continue throughout the construction period. Plan and Profile maps and GIS layers for the Environmental Statement consultation were not made available until 24<sup>th</sup> January, the day that consultation was due to end. The ongoing lack of the timely provision of information has made it particularly difficult to understand the full impacts of HS2 and therefore commenting on the project has been particularly difficult in very short timeframes. Your Petitioner requests that future information is made available in a timely manner in order to allow an adequate period for any response.

*Conclusion*

- 47 For the foregoing and connected reasons, your Petitioner respectfully submits that, unless the Bill is amended as proposed above, so far as affecting your Petitioner, the Bill should not be allowed to pass into law.
- 48 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 PETITIONER therefore humbly 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 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 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 Petitioner will ever pray, &c.

Chester Ronald O'Connor-Boyd

