

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 Mr Steven Jonathan Hunt and Mrs Rebecca Cathrine Hunt

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. 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.

Your Petitioner

7. Your Petitioners are freehold owners of The Threshing Barn, Culworth Road, Chipping Warden, Banbury, Oxfordshire, OX17 1LZ "Threshing Barn" .
8. The proposed route of Phase One of HS2 passes the property at a distance of approximately 80m. HS2 have the rights to buy the property the Threshing Barn and the land required for the construction phase will require a re-routing of our entrance into the property.
9. Your Petitioner has sought to work with HS2 Limited and the Government in the development of the proposals. However, as outlined in this petition, it has substantial outstanding concerns with the appraisal work, design and development of the project and the particular powers now proposed in the Bill.

Your Petitioner requested an additional meeting with HS2 which has been refused, despite HS2 being in the area.

10. Your Petitioner and their rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

Your Petitioner's Concerns

11. In summary your petitioner is concerned that although the principle of HS2 has been established by the second reading of the hybrid bill, it feels like the cost of the project is being squarely placed at the feet of people such as us. Being situated almost at the mid point of the line, we will never use the line, we have no local transport infrastructure that will see a benefit from the users of the line switching services. However we have seen the value of our property drop, face the prospect of years of misery during construction and then the on-going nuisance when the line is in operation.
12. Each of your Petitioner's concerns is explained more fully below and solutions to its concerns identified. Your Petitioner recognises, however, that other solutions to these concerns may be brought forward and, insofar as those are to be preferred, it would wish to associate itself with them.
13. Your Petitioner's concerns relate to noise, construction traffic, height of line, compensation, woodland and wildlife, siting of compounds and public rights of way.

Concern at lack of information

14. 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. HS2 Ltd has continually failed to provide necessary paperwork prior to meetings as requested, and information presented has often been inadequate and conflicting.
15. Plan and Profile maps and GIS layers were requested by your Petitioner and others early on in the process of the consultation on the environmental

statement, as it was felt that these were necessary tools to inform their response. HS2 Ltd responded that the GIS layers were likely to be available in mid/late December. It was not until the 24th January that these were made available, the day that the consultation was due to end. The latest plan and profile maps remain unavailable, and furthermore, supplementary information such as the Code of Construction Practise has remained in draft form. Other important supplementary documents, like the local environment management plans ("LEMPs") have not been produced, even in draft.

16. The on-going lack of information has made it particularly difficult to understand the full impacts of HS2, and therefore commenting on the project has been particularly difficult. It also raises the question as to why this information is being withheld when it has been produced. Your petitioner expects to be able to consult on the final version of the CoCP and any other relevant documents that are produced, prior to construction taking place, and asks your honourable House to require the Promoters to ensure that happens. Your Petitioner also requests that in future, all information is made available in a timely manner.

General position of council on HS2

17. 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 its 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 expenses. 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.

Noise

18. Your petitioner is gravely concerned about the impact of noise on the tranquillity of our home, which is in a part of South Northamptonshire that 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 once 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. In addition to our complaint we are aware of the communities of Whitfield, Brackley, Radstone, Greatworth, Thorpe Mandeville and Boddington have also expressed significant concerns about noise.

19. 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.
20. 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 40 dBA during the day or 35 dBA at night time.
21. 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 hour of operation in the evening (anticipated to be from 10.00pm till midnight).
22. Your petitioner is extremely concerned about the noise profiles that will be experienced due to the trains exiting a green tunnel.

Working hours

23. Your Petitioner objects to the working hours set out in the draft Code of Construction Practice. Your Petitioner lives along possible construction routes, and therefore will be directly affected by construction works and traffic

for over 6 years.

24. 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 local authority. Justification as to why work must be carried out outside of core hours will be required.

Construction Traffic

25. Your Petitioner is gravely concerned about the impact of traffic accessing the 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 in recent years. We are concerned that increased traffic will produce additional risk, create significant congestion and increase pollution in the surrounding area.
26. Your Petitioner requests that construction traffic on the B4525 is restricted to the hours of 10:00 to 15:00 Monday to Friday and not at all at the weekends in order to minimise the negative impacts of construction routes. During construction, the nominated undertaker must maintain the quality of the road, and after construction, the road must be returned to its original size and character, and all damage repaired by the nominated undertaker. A hotline should be set up allowing road users to report any damage to the road, and Northamptonshire County Council as highway authority should have access to all reports, to ensure these are addressed in a reasonable length of time.
27. Furthermore it has been stated that on average there will be 850-1430 daily combined two-way HGV trips from the A422 Brackley Road overbridge. (p228 table 21 of the CFA report Newton Purcell to Brackley). Your petitioner requests that a greater proportion of lorry journeys be made along the line of the rail route to reduce the number of journeys needed on public roads.

Height of line

28. Your Petitioner is concerned about the varying height of the line as it passes

our dwelling, the current proposals to allow a 4m variance are considered unacceptable.

29. Your Petitioner requests that the height of the line should be capped to a maximum of 2m up or down from the agreed final route.

Visual Blight

30. Your petitioners are concerned that the construction and operation of HS2 will be of significant impact to the lifestyle and one of the main purposes of living in this area in the first place.

31. Your petitioner calls for our property to be considered as part of the compulsory purchase area.

Compensation

32. Your Petitioner submits that the compensation provisions in relation to property that is not compulsory acquired and other matters are not sufficient to compensate your Petitioner adequately for the loss and damage they may incur as a result of construction and operation of the high speed railway and associated development. We have lost tens or hundreds of thousands of pounds on the value of our property. The Rt Hon Philip Hammond, when he was Transport Secretary, indicated that fair compensation would be provided for those affected by HS2. Your petitioner does not know of a homeowner in this Parish who thinks that the HS2 compensation arrangements are fair.

33. Your Petitioner requests that the Bill should be amended to ensure persons outside the safeguarding area who are injuriously affected and adversely affected by loss of value should be entitled to claim compensation. Your petitioner also requests that Clause 47 in its entirety should be removed from the bill.

34. Your Petitioner requests that compensation for those in the voluntary purchase zone should be increased at a minimum to include the removal of stamp duty on the property they are effectively being forced to buy to regain their quality of life.

35. *Conclusion*

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

37. 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 Petitioner.

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.

Steven Hunt

Rebecca Hunt

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BILL

PETITION OF Steven and Rebecca Hunt

AGAINST, By Counsel, &c.

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