

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – 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 ROGER HARRISON and RUTH YEOMAN

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, 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 ("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 Objection is taken to the works to be undertaken within the Chilterns Area of Outstanding Natural Beauty, and in particular to **works 2.1 and 2.12 to 2.27** (listed in Schedule 1 of the bill) in the parishes of Amersham, Little Missenden, Great Missenden, Chartridge and The Lee, and to the clauses of the bill which would authorise these works.
- 8 Your Petitioners reside at Chartridge within the Chilterns Area of Outstanding Natural Beauty (hereinafter referred to as "the AONB").
- 9 Your Petitioners and their rights, property and interests are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

Objections in principle

- 10 Although your petitioners are aware that the Select Committee of your honourable House is unable to consider cases which object to the principle of the Bill, your petitioners nevertheless wishes to express their serious concerns regarding the business case of HS2 which represents extremely poor value for money. Your petitioners are appalled that a business case that is so slight, even based as it is on a series of highly questionable 'positive' assumptions, could be used to justify such large-scale scale, long-lasting environmental damage to the AONB.
- 11 Your petitioners instead support the provision of additional rail capacity (if and when need is demonstrated on a case-by-case basis) by up-grading existing rail links between London and other cities throughout the UK, but particularly between northern cities themselves, as this could be achieved at lower cost, with higher cost-effectiveness, more immediate effect, and with far less environmental damage.
- 12 More broadly, your petitioners believe that expenditure of such huge sums on HS2 is a major strategic error, and that much greater return would be achieved by diverting monies earmarked to HS2 to programs that ensure that genuinely high-speed broadband is made available throughout the UK (rather than current programs which essentially restrict this to areas of high population density).

The Lack of Transparency from HS2 Ltd. and Proponents of the HS2 Scheme means that Petitioners have been denied the Information Reasonably Required to Identify All Grievances

- 13 As residents of the AONB your petitioners have identified several specific grievances which are set out below. Unfortunately, these cannot be guaranteed to be comprehensive given the inadequacy of the HS2 Consultation Exercises and the Environmental Statement prepared by HS2. In addition, your petitioners note that HS2 Ltd appears to be seeking to keep secret information on the compulsory purchases made in the area, under the guise of 'commercial confidentiality'. Your petitioners believe that there is scant if any commercial justification for such secrecy regarding the intended use of land and property purchased, but rather it is symptomatic of a long-standing, systematic failure of HS2 Ltd to be transparent in their dealings with those who may be affected by the proposed scheme. This is undemocratic, shows no regard for the latter's legitimate concerns, and smacks of 'news management'.

- 14 Your petitioners believe that the failure of the scheme's proponents to perform a Strategic Environmental Assessment of the current proposed route has shown they do not understand, or do not wish to make clear, how the particular geographical and geological features of the Chilterns AONB make it particularly ill-suited to massive engineering works of the type proposed. Had a Strategic Environmental Assessment been conducted, then the very obvious environmental impacts and the difficulties of constructing a line through this area would have been apparent.
- 15 Your petitioners contend that the Environmental Statement (ES) produced for DfT/HS2 Ltd was unfit for purpose on the grounds that it was not prepared by independent experts (ie by those do not stand to benefit from construction contracts). Consequently, the impacts of this project on your petitioners have been greatly underestimated, and the mitigation measures which have been proposed are totally inadequate to afford any significant abatement.
- 16 For the reasons outlines above, your petitioners request that your honourable house should:
- (a) take all necessary measures to ensure that HS2 replies fully and promptly to requests for information from interested parties to enable your petitioners and others to clearly identify the full extent of the scheme's environmental impacts upon them.
 - (b) consider representations regarding any new impacts which may be discovered subsequent to the submission of this petition.

The Construction of HS2 According to the Current Plan Would Cause Severe Traffic Disruption In and Around The Misbourne Valley Lasting Several Years

- 17 HS2 runs alongside and/or crosses the Misbourne valley. This route is particularly ill-chosen; the single road (A413) that passes along the valley carries much of the traffic moving between the Vale of Aylesbury, via the Chalfonts, and London and the M25. The A413 is mainly a single carriageway road, as befits a semi-rural area. However, it is busy and is already liable to severe tail-backs and delays in the event of even minor accidents or traffic incidents.
- 18 It is planned that the A413 should carry substantial construction traffic (at time hundreds of HGV vehicle per day) for up to seven years. This will certainly cause massive disruption to traffic flows and severe delays to all those who make use of the A413. Local businesses will suffer, and local inhabitants will be seriously inconvenienced throughout this period.

- 19 Your petitioners use the A413 when driving to their place of employment, and to the A&E department of Stoke Mandeville Hospital. The predictable delays caused by construction traffic when driving to and from work will be annoying to your petitioners, whereas delays in accessing A&E facilities could be extremely serious.
- 20 As a further consequence of disruption on the A413, your petitioners are also concerned that traffic seeking to avoid congestion will result in further burden on the roads in their community of Chartridge which are not suitable for heavy traffic. This will increase noise to, and the restrict freedom of movement of, your petitioners. Furthermore, as these roads are widely used by cyclists and horse-riders, it is predictable that there will be accidents resulting from such increased traffic flow.
- 21 Your petitioners are concerned that heavy congestion around the construction site will make it difficult for them to access both Great Missenden and their nearest major shopping centre at High Wycombe. They use Frith Hill very frequently to access these towns; this route will be severely disrupted, as will most roads crossing the Misbourne valley. This will limit their freedom of movement and add considerably to journey times.
- 22 Your petitioner requests that the disruption described above is avoided by ensuring that the line passes throughout the AONB in a bored tunnel, either as proposed by **Chiltern District Council**, or as proposed by the **CRAG T 2 Tunnel**, the latter having been accepted by HS2 Ltd in the Environmental Statement as both feasible and environmentally preferable to the proposal in the Bill. This would substantially mitigate the adverse effects objected to here.

Noise Nuisance

- 23 Your petitioners are concerned that HS2 Ltd has failed to plan to adhere to current laws and regulations regarding noise, and have seriously underestimated the harm and nuisance this will cause to your petitioners. Your petitioners request that HS2 Ltd be obliged to adhere fully to current laws and regulations relating to noise and noise abatement.
- 24 Your petitioners are likely to be disturbed for several years by the noise of construction and construction traffic, and this would impair their enjoyment of their property and garden – they live at the top of a ridge and have noticed that noise travels long distances in the tranquil Chilterns. Your petitioners request that the nominated undertaker be required to mitigate to any construction noise nuisance by amending the Code of Construction Practice and funding its enforcement by the Local Authority, particularly in order to remove any risk of work that generates night time noise (for example, by removing any exemptions for continuation of working started during the day).

- 25 Your petitioners believe that HS2 Ltd Have grossly underestimated the 'startle noise' generated by the very frequent passing of high-speed trains every few minutes when construction has been completed. They believe that sleep disturbance will be a significant issue for large swathes of the AONB around the proposed route. Your petitioners request that HS2 be required to commission an independent report on noise and noise nuisance using, and that plans be amended to adhere to national or World Health Organisation guidelines on noise in respect of tranquil areas such as the AONB
- 26 Your petitioners further request that the disruption described above is avoided by ensuring that the line passes throughout the AONB in a bored tunnel, either as proposed by **Chiltern District Council**, or as proposed by the **CRAG T 2 Tunnel**, the latter having been accepted by HS2 Ltd in the Environmental Statement as both feasible and environmentally preferable to the proposal in the Bill. This would substantially mitigate the adverse effects objected to here.
- 27 Your petitioners observe that the **South Heath Chilterns Tunnel Extension** between Mantles Wood and Nr Leather Lane would address some of the issues described above, and at no greater cost than the Proposer's scheme. If Parliament is unprepared to require a fully bored tunnel throughout the AONB (which is by far preferable), then there should be at minimum a 4km tunnel extension from Mantles Wood to Leather Lane, as this is environmentally superior and costs no more than the Proposer's scheme

Light Pollution

- 28 Your petitioners note that one of the major attractions of large areas of the AONB is the lack of light pollution in evenings and during night time. Local planning laws (applied, for to limit light pollution from your petitioners' property) have been used to maintain an environment free of light pollution.
- 29 Your petitioners are concerned that construction lighting will be a major cause of light pollution lasting for several years. They are concerned that, once construction has been completed, security lighting and sparking from pantographs from trains passing every few minutes will be a constant source of pollution.

30 Your petitioner requests that the AONB be protected from these effects by ensuring that the line passes throughout the AONB in a bored tunnel, either as proposed by Chiltern District Council¹, or as proposed by the CRAG T 2 Tunnel², the latter having been accepted by HS2 Ltd in the Environmental Statement as both feasible and environmentally preferable to the proposal in the Bill. This would substantially mitigate the adverse effects on light pollution.

31 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above (to remove the works noted in paragraph 3 from the schedule) so far affecting your Petitioners, should not be allowed to pass into law.

32 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, property and interests 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.

Signature of Petitioners in person,

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AGAINST, By Counsel, &c.

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