

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

**HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL**

**PETITION**

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 Mrs Janet Moore

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 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.
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 are specified in clauses 1 and 2 of and Schedules 1 and 2 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 and Schedules 2 and 3 to the Bill.

7. Your Petitioner, Mrs Janet Moore is the owner of three separate farms, namely Starbold Farm, Manor Farm and Harp Farm, all of which are located near to Ladbroke in Warwickshire. The total farming area extends to some 420 acres with all the land being in arable production, having been in ownership of the Petitioner and her late husband for over 30 years. The principal impact of HS2 is on Starbold Farm and Harp Farm. At Starbold Farm there are six residential properties all let out and a substantial range of farm buildings. At Harp Farm there is a commercial Garden Nursery premises which has been rented out for over 20 years together with a detached bungalow which is also let on an Assured Shorthold Tenancy. All of these properties will be seriously affected by the proposed railway line and indeed the Garden Nursery premises will be completely demolished to make way for the HS2 project.

Your Petitioner's Garden Nursery premises will be demolished as part of this Bill and the proposed railway line will run immediately north of the residential properties and farm buildings at Starbold Farm. In addition, some 135 acres of arable land at Harp Farm will lose all roadside access under the proposal.

8. Your Petitioner and their rights are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others hereinafter appearing.
9. The current HS2 proposals provide for the railway line to cut through Harp Farm leaving some 135 acres with no roadside access with an indication from Design Drawings that an 'Accommodation Access' will be provided.

HS2 maps CT-05-084 (Construction Phase) and CT-06-084 (Proposed Scheme) provide details of the proposal so far as Harp Farm and Starbold Farm are concerned.

Your Petitioner's objection to the current proposal is

- 1) The 135 acres of good quality arable land at Harp Farm will lose all road frontage and will only become accessible via a proposed 'Accommodation Access'. HS2 have not provided any information with regards to this proposed access and Your Petitioner is unaware of the quality of the road, the width proposed, maintenance obligations and user availability.
  - 2) Some 250m of the proposed 'Accommodation Access' is on land owned by Your Petitioner's neighbour and no information has been provided as to whether this land will be transferred to Your Petitioner's ownership or will merely be given as a Right of Access with all the problems and issues that inevitably ensue from Rights of Way.
10. Your Petitioner objects to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submit that the Bill should be amended so that either:
- 1) An access bridge is constructed over the proposed railway line to give access to the 135 acres of severed land
  - or
  - 2) HS2 undertake to transfer ownership of the proposed 'Accommodation Access' on the neighbouring land so that all of the access road is within Your Petitioner's ownership.
11. For the foregoing and connected reasons your Petitioner respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioner should not be allowed to pass into law.

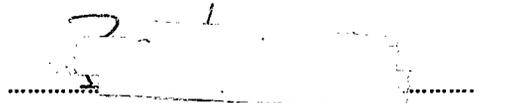
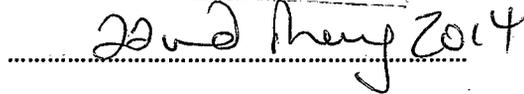
12. There are other clauses and provisions of the Bill which, if passed into law as they now stand, will prejudicially affect your Petitioner and their rights, interests and property and for which no adequate provision is made to protect your Petitioner.

YOUR PETITIONER 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 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.

Signed: Mrs Janet Moore

Dated:

  
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