

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 Hazel Dorothy Suzanne de Quervain

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 Hazel de Quervain is the owner/occupier of Kayalami, The Pyghtle, Denham Village, Uxbridge, Middlesex UB9 5BD, where your Petitioner has lived since 1993. Your Petitioner's property lies in the quiet, leafy village of Denham, mentioned in the Domesday Book. The only other claim to notoriety is to be the most filmed and photographed village in England as it depicts the quintessence of how life was once lived in these parts. I have enjoyed the peace and quiet and the neighbouring landscape for more than 20 years, and have never considered moving until the high-speed train project was mooted.

In the view of your Petitioner, only a tunnel under the Colne Valley would save the village from the devastating impact of noise, pollution, the loss of wildlife habitat, recreational areas and valuable Green Belt.

Several members of the committee of Denham Against HS2 own and occupy properties which will be similarly, or more seriously, affected by both the construction and operation of this project. Your Petitioner's property and her everyday life will be subject to continual noise, vibration, pollution, disruption and irreversible visual impact throughout the construction period of at least seven years, and virtually continuous train noise for up to 18 hours a day during the subsequent years of operation.

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

9. GENERAL OBJECTIONS

Your Petitioner opposes the Bill in principle. While your Petitioner acknowledges that the principle of the Bill was established at its Second Reading, your Petitioner's views on the subject are so strong that they must be recorded in this petition. In the view of your Petitioner, the Bill's Promoters have not demonstrated a credible economic, strategic or environmental case for the proposed railway; that the powers sought in the Bill are excessive and that the environmental, social, economic and health impacts of the project have not been properly assessed.

Your Petitioner object to the way public consultation has been undertaken and reported prior to deposit of the Bill. Information provided by the Promoter has been piecemeal, incomplete, at times misleading, at times erroneous, and often difficult to access.

COLNE VALLEY VIADUCT

Your Petitioner lives less than a mile from the proposed Colne Valley viaduct, but certainly within earshot of the high-speed train and some of the construction works. According to the published plans the viaduct will be 15m above water and ground level, with overhead catenation adding to its height and visual impact. Most of the viaduct will cross lakes, and your Petitioner believes that these bodies of water will amplify the noise of passing trains, especially after they emerge from the tunnel portal at Ickenham. Your Petitioner believes that the promoters of the Bill have not taken this sufficiently into account in assessing noise impacts.

Your Petitioner request that if the existing route is to be retained, a tunnel is constructed under the Colne Valley to create a continuous underground, unobtrusive link between north-west London and mid-Buckinghamshire, extending beyond Amersham to the Vale of Aylesbury. This would also avoid irreversible damage to the Chilterns Area of Outstanding Natural Beauty (AONB), which many of your Petitioners use for recreation.

In the event that your honourable House were to decide not to require a tunnel, your Petitioner request that the train speed on the viaduct be reduced to a level that does not generate a dangerous decibel level as trains pass overhead, taking into account the fact that on some occasions trains might be passing in both directions simultaneously.

Your Petitioner further requests that the hours of operation and maintenance be curtailed to provide an acceptable period of night-time quiet for residents living nearby.

At no time during the entire process including the Community Forums has your Petitioner been given complete and accurate information relating to the decibel levels of the high speed train. This is an aspect which needs to be addressed most urgently on behalf of your Petitioner who has every right to know in advance what these noise levels are likely to be.

Your Petitioner further requests that the Promoter be required to monitor noise levels during operation and enforce limits that comply with the World Health Organisation's recommendations on best standards.

IMPACTS DURING THE CONSTRUCTION PERIOD

The Colne Valley has been designated by the Promoter to be the location of what your Petitioner believes is the largest concentration of construction works of any designated rural area along the first phase of the proposed railway between London and the West Midlands. The Colne Valley workings would include five main construction compounds, seven satellite compounds, two worker accommodation sites, five electric stations and sub-stations, six diverted Public Rights of Way and sixteen stockpiles of construction materials. In effect, the Colne Valley would become the 'dumping ground' for all the material to be excavated through the two tunnel portals, near Ickenham and Chalfont St Peter, on either side of the valley, and the construction of the planned viaduct across the lakes of the Colne Valley Regional Park and the Mid Colne Valley Site of Special Scientific Interest (SSSI). Your Petitioner regard this as a disproportionate and unnecessary burden for the Colne Valley to bear, and by the middle of the next decade your Petitioner feel this attractive region would be unrecognisable if the project is allowed to proceed, in its present form.

Your Petitioner requests that the best available means for minimising noise, vibrations, dust and light pollution during construction and operation are utilised. Your Petitioner further requests that monitoring equipment for noise, vibrations and pollution are installed at sensitive points for the duration of construction, with clear noise and pollution thresholds stated. If monitoring shows that the permitted levels have been exceeded, your Petitioner requests that work should cease immediately and not resume until noise mitigation devices have been installed in affected properties.

VISUAL IMPACTS

Your Petitioner is concerned about the visual impacts of the construction camps and other installations in the Colne Valley, as well as the loss of ancient woodland, flora and fauna that would be necessary for construction to proceed. The visual impact would be particularly acute in the Mid Colne Valley SSSI, the outstanding scenic setting of the Colne Valley.

Your Petitioner requests that tree planting is carried out prior to construction to ensure some level of screening of the construction works. This planting should, as far as possible, be in keeping with the surrounding environment, although your Petitioner regrets that replacing ancient woodland is impossible: there is no mitigation for the loss of this resource. I feel deeply saddened the Promoter of the Bill could ever consider such desecration of our most precious heritage and landscape.

In the event that the Promoter of the Bill decides to proceed with construction of the Colne Valley viaduct, your Petitioner requests that she and other local residents should be consulted meaningfully on the detailed drawings and plans for the structure. The published plans indicate that the viaduct's design would not be in keeping with the surrounding environment, and will have a significant negative impact on the landscape. Your Petitioner request that the structure must be designed in sympathy with the land and water it crosses, and be maintained to a high standard throughout its life. Visual screening should be put in place, and this must also be properly maintained.

TRAFFIC CONGESTION

The Promoter intends to have uninterrupted access to every major road and some minor roads in the Colne Valley for its heavy construction vehicles. Your Petitioner believes that in an area where peak period traffic levels are already problematic this will result in severe traffic congestion and disruption to local public transport services across a wide radius. It will create intolerable delays for commuter traffic, the daily school run, bus services and emergency vehicles, and increase the danger to pedestrians and cyclists. In fact day to day life for your Petitioner will be permanently affected in a most adverse way.

Your Petitioner asks that the Promoter be required to give an undertaking that construction traffic is managed in such a way that at least one public transport route

through the Colne Valley is kept clear of construction traffic at all times of the day and night to allow bus services to maintain their existing timetables.

Your Petitioner asks that they be consulted meaningfully about any proposed diversions to local bus routes.

Your Petitioner asks that the Promoters be required to give an undertaking that construction traffic movements will be restricted to a level that does not adversely affect response times for emergency vehicles. This could be done by capping the number of movements permitted in a 24-hour period and the number of local roads affected at any one time.

Your Petitioner further requests that any damage to roads caused by heavy good traffic during the construction period should be repaired immediately at the expense of the nominated undertaker. After construction, any diverted roads should be returned to their original state and position, as far as possible. Your Petitioner requests that a hotline is established to enable road-users to report any damage to the carriageway, and the highway authority should have full access to all such reports, to ensure that complaints are addressed within a reasonable period of time.

RAIL

Those of your Petitioners who rely on the Chiltern Lines service between Denham/Denham Golf Club stations and Marylebone Station in Central London request that Chiltern Lines passenger services be protected throughout the period of construction, and the frequency of local services increased, if possible, to compensate for disrupted road journeys during the construction period.

RIVERS AND FLOODING CONCERNS

The low-lying Colne Valley, which includes the floodplain of the Rivers Colne and Misbourne, is periodically prone to flooding. During the winter of 2013/14 record water levels were recorded in both rivers, but this was not taken into account by the Promoter's Environmental Statement, which relied on readings taken by the Environment Agency in 2001. Your Petitioner request that the water levels of both rivers are continuously monitored throughout the construction period and beyond.

The River Misbourne is a rare chalk stream that flows through the Colne Valley from the Chilterns to the River Thames. Your Petitioner is concerned about the possible

impact of widespread construction that could exacerbate both flood risk and damage. For instance, it is planned to dump millions of cubic metres of spoil from the tunnels on safeguarded farmland in the valley. It is feared that these heaps will create additional problems in the surrounding areas by forming new drainage channels. Your Petitioner believes that Denham village would be vulnerable to rising river levels and potential flooding.

Your Petitioner is concerned about the potential negative impacts that the planned diversion of the River Colne would have on local ecology. Many of your Petitioner walk regularly along the banks of the river to enjoy its wildlife and ecology. Your Petitioner requests that an alternative scheme is put in place that would obviate the need for the River Colne to be diverted.

As a resident of Denham Village your Petitioner is acutely aware of the negative impact the construction of HS2 will bring to the area. As a keen gardener your Petitioner regularly attends the National Garden Scheme (NGS) events locally, raising much needed funds for the Charity, and also stages charity events of her own. The severe flooding in 2014 has led to the cancellation of at least one Open Garden event in the village. Of particular concern are the areas of Higher Denham and the River Misbourne valley and floodplain.

PUBLIC RIGHTS OF WAY

Your Petitioner is a regular user of PRow around the Colne Valley and is concerned about the impact of works authorised by the Bill on these footpaths. Specific concerns are the connectivity between the CPS/43/2 and the CSP/16/1 and CSP/44/2. The current proposal is a 2km detour to this route, which would directly affect your Petitioner and make the use of this PRow unviable.

Your Petitioner asks that the number of local PRow proposed to be stopped up or diverted be reduced significantly so that an adequate level of local amenity is preserved during the construction period and beyond.

Your Petitioner requests that the hedgerows the Promoter intends to destroy alongside the ancient Old Shire Lane are preserved in perpetuity.

ECOLOGY AND ANCIENT WOODLAND

Your Petitioner is concerned about the loss of ancient woodland and harm to biodiversity that will result from the Bill as currently proposed, and the impacts of construction works and other proposed activities on ancient woodland. This is an irreplaceable natural resource of great importance for its wildlife, soils, recreational uses, cultural value and the contribution it makes to our diverse landscapes. It is part of English life and heritage and once it has been removed it can never be replaced.

Your Petitioner is particularly concerned about adverse impacts of the Bill on Northmoor Hill Wood, Battlesford Wood and Little Halings Wood, all of which lie on the fringes of Denham and would be significantly reduced or fragmented by the construction of the railway, as presently planned.

Your Petitioner is also concerned about the impact of the Bill's proposals on public access to and enjoyment of Northmoor Hill Wood, Battlesford Wood and Little Halings Wood, and believe that your Petitioner's enjoyment of those woods will be diminished by construction works and activities.

Your Petitioner asks that the Bill should not become law unless proposals are brought forward which significantly reduce the extent of loss of ancient woodland. Your Petitioner further requests that greater compensation should be provided than is presently proposed for the loss of ancient woodland.

Your Petitioner is concerned that approximately one hectare of ancient woodland will be lost in the Mid Colne Valley. This would harm the biodiversity of the area, destroying one of the two local breeding sites for the pochard duck and the only local habitat of the corn bunting. The population of other over-wintering and breeding birdlife will be so adversely affected by the Promoter's project that it is never likely to recover.

RECREATIONAL LOSS

Your Petitioner is concerned about the impact of construction on several angling lakes in the Colne Valley, particularly Savay Lake and Korda Lake, both of which are notable for the quality of carp fishing they provide. The owners of both lakes have reported that angling will be impossible during and after construction of the project.

Furthermore your Petitioner is concerned about the likely impact of the viaduct construction on the lake where Denham Water Ski Club is sited, and on Harefield Marina, which has 220 moorings in a secluded, rural setting.

Your Petitioner believes that the footpaths, canal towpath and nature reserves in the Colne Valley Country Park will be permanently affected and depleted by the construction and operation of the railway, and the Park itself will suffer reputational damage as a consequence of the years of noise and pollution, to become a lesser attraction in the future. This important recreational amenity will be severely depleted by the Promoter's project, especially in connection with the Hillingdon Outdoor Activities Centre (HOAC), which is used by adults and children from a wide area, for both recreational and educational purposes. HOAC's Principal has reported that the Centre would be unviable after construction begins, because of its proximity to the Colne Valley viaduct.

Your Petitioner requests that the owners and operators of all community amenities which are severely diminished or rendered unviable by the project, arrangements are made, before the construction period begins, to relocate them to acceptable, alternative sites or provide adequate financial compensation at the cost of the Promoter.

HEALTH ISSUES

Your Petitioner believes that the creation of dust, noise, poor air quality and, in places, 24-hour working will inevitably lead to severe sleep deprivation for everyone within earshot of both the construction camps and the operational railway, particularly the elderly, infirm and children with asthmatic and respiratory problems.

Your Petitioner requests that health and stress clinics are established in Denham and Harefield to monitor and treat those who suffer illness, physical or mental, during the construction period and beyond.

Some of your Petitioners, including your Petitioner, are already suffering stress-related conditions which are directly linked to this project. I believe that the anxiety, stress and fear caused by all the unknown factors relating to this project are issues which have never been addressed by either the Promoter of the Bill or HS2 Ltd.

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 submits that

the Bill should be amended or undertakings should be required so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works by considering their cumulative impacts on communities. And the Secretary of State/Nominated Undertaker need(s) to suggest necessary changes from the results of that review before works design and construction strategies have been finalised.

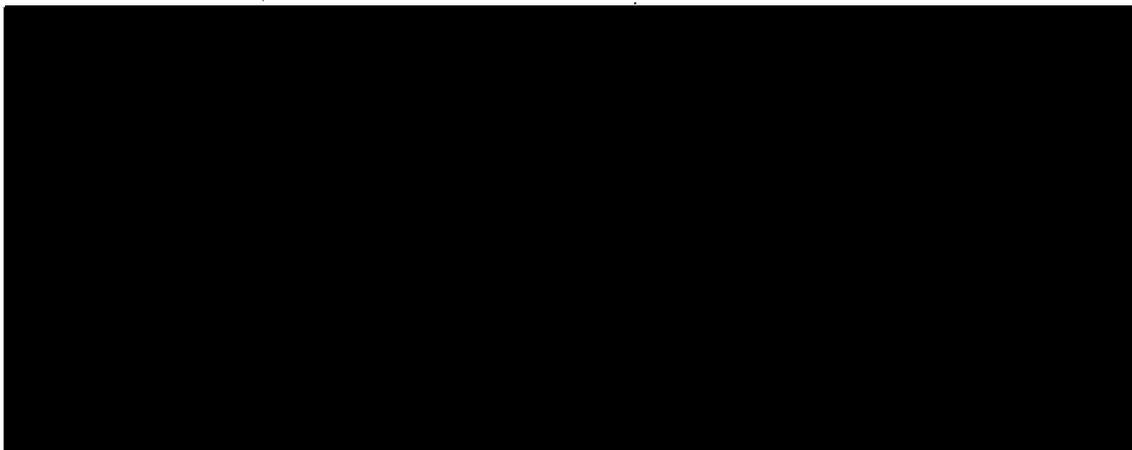
Your Petitioner requests that if the existing route is to be retained, a tunnel is constructed under the Colne Valley to create a continuous underground, unobtrusive link between north-west London and mid-Buckinghamshire, extending beyond Amersham to the Vale of Aylesbury. This would also avoid irreversible damage to the Chilterns Area of Outstanding Natural Beauty (AONB), which many of your Petitioners use for recreation.

In the view of your Petitioner, this is the only feasible solution to alleviate the severe impacts of the project on this cherished slice of green and pleasant land.

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.



IN PARLIAMENT

HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF HAZEL DE QUERVAIN

Against the Bill – On Merits — By Counsel &c

