

IN PARLIAMENT  
HOUSE OF  
COMMONS  
SESSION  
2013 - 2014

HIGH SPEED RAIL (LONDON TO 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 Julian Williams

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.
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. Your Petitioner is Julian Williams, occupier of Lowlands, Cheapside Lane, Denham Buckinghamshire UB9 5AB. Your petitioner's property lies 1900m from the closest part of the line however it is the disruption and damage to the immediate area used by your petitioner and family for recreational and transport purposes which forms the basis of this petition.
8. Your Petitioner (and his family's) rights and interests are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.
9. **Background**

Your Petitioner believes the whole concept of the current HS2 project to be utterly wrong, that the planning, communication and delivery to date are hugely flawed and that the entire project should be abandoned. Your Petitioner understands that the petitioning process, at this stage, cannot consider the complete scheme, thus he is expressing his concerns about aspects of the scheme that will have a direct and devastating effect on him and his family.

Your Petitioner lives in Denham, Buckinghamshire (address as above) and he and his family make great use of the outside environment for pleasure – walking, cycling, camping etc. Your petitioner leads Scouts in the area, makes use of the Colne Valley Country Park, The Hillingdon Outdoor Activity Centre, regularly cycles to work along the canal towpath and makes considerable use of the many beautiful and in some cases ancient Public Rights of Way.

In winter time your petitioner usually commutes along the A412 from Denham to Watford and for a significant number of years has suffered massive delays during the M25 widening process and still experiences traffic congestion on an almost daily basis. (On the morning this petition was written the A412 was blocked from the Denham Roundabout all the way back to Maple Cross without any unusual congestion on the M25 from where the traffic usually comes to escape that section of the motorway.)

Whenever there is an accident between the M25 and the M40 or M4, Denham, the North Orbital Road, the A40 dual carriageway and all surrounding areas are gridlocked.

The current HS2 route plan is for the line (in the direction of Birmingham) to emerge from its tunnel portal to the North East of the Harvil Road in Ickenham (just South of New Years Green Covert), then through farmland, across the Harvil Road and past Dews Farm. It then crosses the Hillingdon Outdoor Activity Centre and its associated lakes, over the Grand Union Canal and towpaths and over Savay Lake. It crosses the Moorhall Road, across/adjacent the Broadwater lakes and Site of Special Scientific Interest, over the River Colne, and through woodland (Ranston Covert and Battlesford Wood) The route then passes through the Denham Water-ski Club, across the North Orbital Road, through woodland to the east of Durdent Court, across the Old Shire lane (county boundary dating from Saxon times), then through farmland. Finally for this overground section the route crosses Tilehouse Lane (which will need diversion and bridging), and through further farmland before re-entering the ground at a tunnel portal just before the M25 (junction of Chalfont Lane) directly under another stretch of the Old Shire Lane.

This route will predominantly be upon a huge viaduct up to 15m high (from HS2 drawings) which will have a massive adverse effect on the environment both during its construction and operation. It will require "realignment" of numerous roads and paths, draining of lakes, and construction of a number of power plants/feeder stations.

This "above ground" section as currently planned consists of a number of cuttings and embankments and, of course, the viaduct. The viaduct section being approximately 2.6km long, the overall "above ground" section being some 5.5km long entering tunnel portals at both ends. Clearly the above ground section in the petitioner's locality will require massive works, numerous road crossings and "realignment" with consequent disruption and damage during construction and beyond.

## 10 Adverse Impact

The HS2 scheme and particularly the overground section described above will have the following unacceptable impact:

1. Closure of the Hillingdon Outdoor Activity Centre (HOAC) which is hugely important to the local community, Your Petitioner and his family who use the picnic area, the walks, the high ropes and waterborne activities both personally and with the Scouts (Assistant Scout Leader – canoeing, kayaking, paddleboarding etc).

HOAC is well known for its facilities for all communities near and far and especially for its suitability and use by disabled children and adults.

2. Massive disruption during construction and similarly massive impact upon completion of the scheme on footpaths, bridleways, towpaths and minor roads. Your petitioner is a keen walker and cyclist and uses at least one of the footpaths affected practically every weekend. Thousands of people use the canal towpaths, especially during the months between spring and autumn.. The walks along the River Colne, through the Colne Valley Regional Park are very well used and will be negatively impacted upon during construction in respect of noise, access and airborne construction products and soil.
3. The Grand Union Canal towpath would be crossed at a point adjoining lakes on both sides and adjacent to the Harefield Marina. It is understood that the towpath may have to be diverted for a construction period of up to four years. Your Petitioner regularly cycles this route, particularly in the summer, and encounters many other cyclists, walkers and canal residents in the process. At the point where the HS2 route crosses the canal exceptional, certainly industrially unacceptable, noise levels are envisaged.

Your Petitioner has asked for information in respect of noise levels at two Community Forum "Roadshows". On both occasions he was introduced to the 'noise specialist' and both times was told "we don't really know". When your Petitioner asked about the impact of noise from exceptionally high speed trains and their potential carriage across open flat lakes from viaduct walls (barriers) significantly lower than the tops of the trains – a similar answer - "It hasn't been done yet" – was received. Your Petitioner estimates that noise levels could be prolonged and regular, significantly impacting upon him (or others) when walking, cycling or paddling/sailing underneath the viaduct. This would of course similarly impact upon other travellers or local residents. Your Petitioner suggests that the impact of noise upon passers-by (and their number) has been hugely underestimated.

4. Your Petitioner understands that the existing gravel processing plant at Moorhall Road, at the location where it crosses the canal (Widewater Lock) may be utilised to play an important part in the construction period. Should this be the case it is envisaged that the inevitable numerous lorry movements will cause further congestion on the already busy local roads together with nuisance to your Petitioner and family (who use the Moorhall Road daily and its junction with the A412 many times a day). The nuisance being congestion, airborne pollution (dust) and rapid deterioration of the tarmac.
5. Another place your Petitioner visits regularly is the Broadwater Lake Nature Reserve which, although originally a gravel pit, is the biggest expanse of water in the Colne Valley (about 20 hectares) and, indeed, one of the biggest in south-east England. The

four lakes in the vicinity are within the Mid Colne Valley SSSI and this has national importance in respect of bird populations and overwintering birds. Your Petitioner visits the site, usually in the early morning, in order to see the birds on the lake or the islands/trees. At dusk, during the summer or autumn months, numerous bats can be seen (or occasionally felt) as they race and weave across the water above the banks.

The proposed route goes directly across one of the four lakes (Korda after Alexander Korda but shown as Kroda on HS2 limited documentation) and adjacent to the remaining three. The construction works will undoubtedly have a devastating and lasting impact upon this environment, its inhabitants and feathered visitors.

The viaduct in operation would spoil a beautiful place and rare resource. It is doubted that the lake would ever recover any of its current population; your petitioner is concerned about the potential for impact meetings between the birds and the high speed trains.

Your petitioner is aware that HS2 Limited carried out an Environmental Impact Study on the Colne Valley Regional Park and that its findings indicated low impact on land and receptors or minor adverse effects on the park. This is completely incorrect, the impact on the visitors, the wildlife, the SSSI generally, your Petitioner and the wider environment would be massive and permanent.

6. A resource, in the grand scheme, used less frequently, though nevertheless enjoyed, by your Petitioner and his family/friends is the recreational lake operated by the Denham Water Ski Club. Your Petitioner's involvement here is primarily social/spectator rather than as a participant.

The proximity of the railway during its construction and operation will be massive both in respect of nuisance, noise and views. It is doubtful if your Petitioner would want to reattend during or following construction and ultimately this facility would be lost to your Petitioner and his community.

7. Probably the most important area which will have a special and direct effect on your Petitioner is that of the project's impacts on the Old Shire Lane just at, and to the North of the Buckinghamshire/Hertfordshire County boundary. The Old Shire Lane is an excellent Public Right of Way enjoyed by your Petitioner for walking and cycling and by many others for similar purposes and as a bridleway. Your Petitioner walks or cycles this path with family members at least every other weekend and enjoys the beauty of the path through the seasons. There are numerous fine old oaks, noisy and varied hedgerows, sunken paths (indicating hundreds/perhaps thousands of years of passage) and diverse wildlife along the route. Bluebell time is fragrant and spectacular as the bluebells and dogs mercury surround the lane. The lane would be hugely impacted by the proximity of the high-speed railway line, particularly at the northern end where the sunken paths and dips and hills exist.

The impact of the construction works on the area and the Old Shire Lane have not been properly assessed.

The Old Shire Lane has been largely considered as simply a path to be diverted and re-routed to suit the project without proper and due diligence in respect of the habitat, history and view. The construction works and modification of the land enclosed by the Old Shire Lane, Chalfont Lane and the A412 (Denham Way – North Orbital Road) will devastate the area providing massive impact on users during construction and post construction. Noise and light pollution, movement of dirt, dust, and tunnelling spoil will be massive. The site also includes the passive provision for the possible Heathrow spur which further increases the extent of the earthworks and site.

HS2 Ltd's limited Impact assessment of the Old Shire Lane presumed it to be simply part of a circular walk and assessed through survey at two separate August dates in 2012. This was during the summer holidays and one of the inspection dates coincided

with the penultimate date of the London Olympics. The dates chosen were minimal and not representative of normal usage. The survey was not deemed by your Petitioner to be either adequate or accurate.

8. To the south of the Old Shire Lane, between Little Halings Wood and Juniper Wood, your Petitioner has permission to access the land, rich in wildlife and of particular beauty, surrounded by ancient woodland. It is proposed by HS2 Ltd that this land between two patches of ancient woodland is converted ("created") into a woodland habitat as some sort of environmental measure designed to minimise overall environmental impact. Your Petitioner believes that this is a token measure of limited understanding and limited beneficial impact.
9. With the exception of the summer months and a proportion of spring and autumn, your Petitioner drives to work along the A412 North Orbital Road for a number of years, during the M25 widening, the traffic through Denham was disrupted normally during peak hours due to motorists using the A412 as a "cut through" between the M40 and Maple Cross in both directions.

At the time of writing, passage along the A412 is often difficult at peak hours normally southbound and congestion occurs at all places between the Denham roundabout back to as far as Chalfont Lane. When an accident or blockage occurs on the M25, Denham is gridlocked. Traffic queuing on the North Orbital Road adjacent to the Denham Ski Club site, U turns on a fast, vision-restricted hill and turns back to use the narrow Tilehouse Lane as an alternative. Any further, heavy or slow traffic entering the A412 or M25 at peak hours will undoubtedly have significant additional impact upon your Petitioner and the traffic situation.

It is suggested by your Petitioner that the Environmental Survey and its associated statement produced by HS2 Ltd is wholly inadequate, incomplete and misleading. The mitigation measures proposed by HS2 Ltd in respect of disruption, noise, the aesthetic and the environment, all as described above are considered as token appeasement measures of no real consequence.

The proposal to cross the Colne Valley by viaduct would have a serious direct effect upon your Petitioner.

## **11 Petitioner Requests**

Given the above, described, impact upon the Colne Valley, the Environment, the view, the Public Rights of Way and the road system, your Petitioner requests that, should the development move into the construction phase, (which he clearly hopes will not happen), the following changes are made:

That the entire railway remains within a tunnel between the two planned portals and does not surface within the Colne Valley.

That necessary construction shaft provision is made similar to that used by Crossrail with limited visual impact minimising the effect on the environment.

That construction traffic is limited such that it will have minimal additional adverse impact on rush hour or peak times and avoid local roads altogether.

That any damage to the road surface caused by heavy traffic is dealt with immediately to prevent further damage, vehicle damage or additional congestion.

That noise and light pollution is minimised at construction shafts.

That a proper, in-depth and independently witnessed (paid for by not directed by HS2 Ltd or Government) Environmental Study is carried out to ensure that real concerns and issues (rather than lip service) are properly considered and dealt with.

That all construction traffic is prohibited from travelling through Denham Green and Moorhall Road and that the Moorhall Road facility is not increased in size as a consequence of the project.

## **12 Nominated undertaker**

- 12.1 Your Petitioner has concerns in relation to the appointment of a nominated undertaker and the associated risk of them failing to fulfil their obligations failing, and the fettering of the Secretary of State's discretion by agreement with the nominated undertaker.
- 12.2 Your Petitioner requests that there should be a provision inserted into Clause 43 enabling enforcement against the Secretary of State in the event of the nominated undertaker failing to fulfil their obligations.
- 12.3 The Bill should also be amended so that undertakings given by the Secretary of State during the passage of the Bill are enforceable by the beneficiaries of the undertaking in the courts against the Secretary of State or the nominated undertaker.
- 12.4 In light of the above, the Petitioner reserves the right to raise the above matters and any further matters of concern relating to the substance of the Bill and this Petition that may arise from continuing discussions, the preparation and publication of reports, any possible revisions that may be made to current work site proposals or any other matters relevant to our expressed concerns that may occur in due course and prior to our representation before the Select Committee.
- 12.5 For the foregoing and connected reasons your Petitioner respectfully submits that, unless clauses of the Bill are removed or amended, then the Bill should not be allowed to pass into law.
- 12.6 There are other clauses and provisions in the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and their rights, (including their human rights) interests and property and for which no adequate provision is made to protect your Petitioner and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

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 such of the clauses and provisions of the Bill as affect 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 Petitioners will ever pray, &c

SIGNED

JULIAN WILLIAMS

22 May 2014

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HIGH SPEED RAIL (LONDON TO WEST MIDLANDS BILL)

PETITION OF *Julian Williams*

AGAINST, By counsel, &c