

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 Paul Richard Cannings, Christine Cannings and Michael Plimmer

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 Petitioners are a married couple and a neighbour, who live next door to each other, and are owners and occupiers of residential properties at numbers 15 and 11, Chestnut Close, Handsacre WS15 4TH. Your Petitioners' properties will not be demolished as a result of the Bill but are located within 50 metres of the line and just outside the safeguarding area. Your Petitioners have all resided here for just over 10 years. Your Petitioner (Mr Cannings) is due to retire in just over three years' time and was planning to sell the house to downsize, release equity and enjoy his retirement after 49 years of hard work. He now works part time following a heart attack three years ago and also suffers from respiratory conditions, asthma and bronchiectasis. Your Petitioner (Mrs Cannings) is retired following cancer treatment three years ago. Your Petitioner (Mr Plimmer) is a retired widower who was treated for lung cancer in 2001 and now suffers from respiratory problems, who previously had his property up for sale and was planning to move to a retirement village.
8. Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.

9. The Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works which are estimated to take 10 years to complete and will include lorry movements, the creation of dust and noise, poor air quality, and 24 hour working. There will be a high viaduct with up to 36 trains an hour travelling at high speeds and your Petitioners are concerned about the excessive noise pollution produced, especially when two trains pass each other travelling in opposite directions. At the moment, your Petitioners estimate that there are 20 trains per hour. Your Petitioners fear that the 10 years of construction work and then the substantial increase in the number and speed of trains will inevitably lead to severe sleep deprivation and considerable health concerns to your Petitioners. More specifically, your Petitioners will be specially and directly affected by the increases in external noise, lighting, vibrations and pounding of the machinery, especially at weekends when the works will last for 24 hours per day, affecting sleep and air quality. Your Petitioners are also worried about the ongoing noise and vibrations from the high speed trains after the work is complete. Your Petitioners (Mr Cannings and Mr Plimmer) are very concerned about how the change in air quality will specifically affect their chronic long term respiratory conditions. Your Petitioners are also very concerned about the rise in carbon emissions caused by trains running at up to 225 miles per hour. The values of and the ability to resell your Petitioners' properties have already been severely affected by HS2. Your Petitioner (Mr Plimmer) had his property on the market for two years and potential buyers were put off by the implications of HS2.

10. Your Petitioners object 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 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 they need to suggest necessary changes from the results of that review before works design and construction strategies have been finalised or construction contractors employed. For the noise and increased level of carbon emissions from the high speed trains, your Petitioners suggest a reduction in the speed of the trains. Your Petitioners suggest that during the construction the operational hours are restricted to 8am until 6pm Monday to Fridays with nothing at weekends and bank holidays. The detrimental impact on air quality could be restricted by the works being carried out in the most environmentally-friendly manner with the least air pollution created as possible. Your Petitioners are concerned that the values of their properties are directly affected by HS2. Your Petitioners would suggest Compulsory Purchase of house

numbers 11 and 15 as this would remove any health risks, allowing enjoyment of retirement(or future retirement)and would resolve the issue of falling property values and the inability to sell.

11. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, 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 Petitioners and their rights, interests and property 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 Petitioners in the premises as your Honourable House shall deem meet.



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