

**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 MAVESYN RIDWARE PARISH COUNCIL

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 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 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 wish to clarify that this petition is presented by Mavesyn Ridware Parish Council who represent property owners and residents in the Ridwares.
- 8 Your petitioners wish to confirm that a meeting of Mavesyn Ridware Parish Council held on 10<sup>th</sup> April 2014 was advertised on 27<sup>th</sup> March 2014 in the Lichfield Mercury to discuss petitioning of the second reading of the High Speed Rail (London - West Midlands) Bill. At this meeting, it was agreed that the Parish Council should submit a petition. It was also agreed that Dr Nigel Shepperson should be appointed as the council's Roll B agent.
- 9 Your petitioners wish to clarify that the Ridwares consists of the Villages of Mavesyn Ridware, Hill Ridware, Pipe Ridware and Blithbury as well as a number of outlying farms and other dwellings.
- 10 The following are directly and specially affected because they have already been informed that they own property that will be required to build HS2

E, P and RJ Ridley  
Hadley Gate Field Farm  
Stoneyford Lane  
Blithbury  
WS15 3RQ

Purchase of agricultural land to build the track.  
Splitting of the farming enterprise to comprise two blocks of land separated by the HS2 track

David Froggatt  
CH Froggatt and Sons  
Quintons Orchard Farm  
Blithbury  
WS15 3JL

Purchase of agricultural land to build the track.  
Splitting of the farming enterprise to comprise two blocks of land separated by the HS2 track

- 11 The following are directly and specially affected because their homes will overlook the track line beyond the end of the phase 1 spur at Kings Bromley, which includes the indicative position of the maintenance loop at Pipe Ridware

The Shepperson family  
184 Rake End  
Hill Ridware  
Rugeley  
WS15 3RQ

The Willbond family  
Roxwell  
164 Rake End  
Hill Ridware  
Rugeley  
WS15 3RQ

- 12 All persons in the Ridwares are directly and specially affected because they will be affected by the construction activities of Phase 1 of HS2 including the "Off-Route" works described in Volume 4 of the Environmental Statement. They will also be affected by the line in Phase 2, which must pass through the Ridwares due to the location and direction of the Manchester spur at Kings Bromley on Phase 1 of HS2. Persons in the Ridwares have particular concerns about but not limited to road diversions and construction traffic affecting people getting to and from schools and places of work. They will also be directly affected due to the use of taxpayers money to fund the construction costs.
- 13 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.

- 14 The petitioners believe that they are directly and specially affected for the following reasons:

All persons living in the Ridwares are directly affected by the traffic that will be generated by the work detailed in Volume 4, Map book, Off-Route Effects, Map Number CT-05-143-R1 This will generate construction traffic in the village of Hill Ridware as well as construction traffic in the residential road Wade Lane.

The Spur on Phase 1 of HS2 shown in HS2 document *PR10, Property Consultation document 2013 Map Books Volume 6 and High Speed Rail: Consultation on the route from the West Midlands to Manchester, Leeds and beyond, Sustainability Statements, Volume 2: Map* indicates that Phase 2 of the route will have to pass through the Ridwares if Phase 1 goes ahead as currently planned.

Clause 50 provides “Power to apply Act to further high speed rail works (1) A Transport and Works Act order which relates to a relevant Phase One matter may apply any provision of this Act, with or without modification, to anything authorised by the order, so far as relating to that matter.

(2) The following are “relevant Phase One matters”—

(a) a power exercisable or to be exercisable in connection with the works authorised by this Act,

(b) an extension of Phase One of High Speed 2

Which means that Phase 1 of HS2 could be extended through the Ridwares without further consultation.

- 15 Other persons in the Ridwares may be affected because the track line may be moved whilst staying in the general projected line indicated by the Phase 1 spur. This means that people living in the Ridwares who are not currently affected by compulsory purchase could subsequently be affected by any realignment of the track.

- 16 The Phase 1 spur at Kings Bromley

Your petitioners are concerned that the Spur on Phase 1 of HS2 indicates that Phase 2 of the route will have to pass through the Ridwares if Phase 1 goes ahead as currently planned.

HS2 document *PR10, Property Consultation document 2013 Map Books Volume 6*, Staffordshire clearly indicates the spur for the link to Phase 2 of the western leg to Manchester continues some 3000 metres to a point just south east of Kings Bromley and the alignment of this is in accordance with *High Speed Rail: Consultation on the route from the West Midlands to Manchester, Leeds and beyond, Sustainability Statements, Volume 2: Maps*.

Your petitioners note that there are two differing statements with respect to the length of the spur designed to connect Phase 1 to Phase 2 of HS2. However, your petitioners note that both versions put the spur in the same place and heading in the same direction towards the Ridwares.

17 Proposals for Alternatives to the Phase 1 Kings Bromley Spur

Further details of any structures that may fall within an area extending for 10000 metres beyond the end of the Phase 1 spur with a deviation equivalent to the track curvature proposed to the north of Rugeley should be provided in full. This includes the villages of Hill Ridware, Pipe Ridware and Blithbury and a number of farms and outlying properties, which all fall within the Parish of Mavesyn Ridware.

Your petitioners believe that the Hybrid Bill should not be passed into law until people in the Ridwares have been given the same opportunities to view Environmental Statements such as those supplied for Phase 1 of the construction of HS2.

18 Use of the Transport and Works Act

Your petitioners note that the HS2 Hybrid Bill includes the following statement in Clause 50

*“Power to apply Act to further high speed rail works (1) A Transport and Works Act order which relates to a relevant Phase One matter may apply any provision of this Act, with or without modification, to anything authorised by the order, so far as relating to that matter.*

*(2) The following are “relevant Phase One matters”—*

*(a) a power exercisable or to be exercisable in connection with the works authorised by this Act,*

*(b) an extension of Phase One of High Speed 2, and*

*(c) any other works carried out or to be carried out for Phase One purposes.*

Leaving this clause as it stands would provide *carte blanche* for construction anywhere without the need for any consultation or further Parliamentary approval.

- 19 Your petitioners believe that use of a Transport and Works Act Order to extend Phase 1 of HS2 up to Crewe would deny your petitioners their human rights, because they would not be afforded genuine consultation. Proper and effective consultation should include provision of extensive documentation of the proposed construction of HS2, such as that afforded to areas affected by Phase 1. These include, but are not limited to documents such as the Environmental Statements and Sustainability Statements provided for Phase 1.

20 Proposals for Alternatives to the Transport Works Act Order (Clause 50)

Further details of any structures that may fall within an area extending for 10000 metres beyond the end of the Phase 1 spur with a deviation equivalent to the track curvature proposed to the north of Rugeley should be provided in full. This includes the villages of Hill Ridware, Pipe Ridware and Blithbury and a number of farms and outlying properties, which all fall within the Parish of Mavesyn Ridware.

Your petitioners believe that the Hybrid Bill should not be passed into law until people in the Ridwares have been given the same opportunities to view Environmental Statements such as those supplied for Phase 1 of the construction of HS2.

21 Clause 50 of the Hybrid Bill

Clause 50 should be deleted

A Transport and Works Act order as proposed in Clause 50 of the Hybrid Bill should not be used to extend the track beyond the HS2 Phase 1 spur, without provision of Environmental Statements equivalent to those provided for Phase 1.

22 Proposals for Alternatives to the Transport Works Act Order (Clause 50)

If it is intended to extend the construction of HS2 Phase 1 to Crewe as stated in HS2 Plus (HS2 Plus, A Report by David Higgins, Products code CS056, Published March 2014), passing of the Hybrid Bill for Phase 1 should be delayed until full details of the construction are provided for consultation. These details should be provided and a consultation process equivalent to that provided for Phase 1 should be given for the part of HS2 Phase 2 between the Phase 1 spur south of Kings Bromley and Crewe.

## 23 Inadequate Consultation

The Petitioners also submit that the level of consultation by HS2 has been inadequate and inconsistent throughout the process to date. This has resulted due to the following reasons:

- The consultation period was allocated the minimum period of fifty six days including the bank holiday periods of Christmas and New Year, which is contrary to normal practice.
- The quantity of documentation related to the Environmental Statements was very extensive and it was impractical for individuals or small organisations to study all the documentation in the time initially provided.
- The documentation had many pages missing.
- Much of the impact on the Ridwares and surrounding area are explained in volume four of the consultation documents. When a written request was submitted to HS2 for documentation affecting the vicinity of the Ridwares Volume 4 was not provided. This meant that people in the Ridwares had to read all of the documents and could not rely on HS2 to provide documents that described impacts on their local area.
- The computer and USB memory sticks provided to Mavesyn Ridware Parish Council could not be made available for full and proper consultation because there is no facility such as a library or council office to make these facilities freely available. The only way that access could be made available was in the Village Hall when it was not being used for other purposes. This required the Parish Clerk to be present in the Hall whilst individuals were reading the documents on the computer. Funding should have been provided for such provision and attendance in small communities without staffed facilities that are normally open during the working day.
- If the computer and memory stick had been housed in a public office which was open from 09:00 until 17:00 on weekdays only excluding bank holidays, this would have required a single individual to have read almost 200 pages per hour, allowing 30 minutes for lunch and two other 15 minute breaks. This is impractical and would only allow a single person to access the documents provided.

## 24 Proposals for Alternatives to Inadequate Consultation

Your petitioners believe that Phase 1 of HS2 as planned should not proceed without giving the residents of the Ridwares the same degree of fair documentation about the section of HS2 Phase 2 that is within 10000 metres of the end of the Kings Bromley Spur. This should include details such as the Environmental Statements equivalent to those supplied for Phase 1 of the construction of HS2. In addition to this, fair consultation should be afforded to the people living in the Ridwares, taking due consideration that there are no public facilities such as a library or Council office in the villages that are open to the public. Due consideration should also be given to the time given to read the documentation, especially if the consultation period covers a holiday period or is very lengthy.

## 25 Period of Planning Blight

The time predicted for the planning blight caused by the delay in commencement of construction of Phase 2 is many years. Your petitioners consider that the effects on the ability of people to move house or sell their properties for this length of time if their homes are not due for compulsory purchase and/or demolition are unacceptable.

## 26 Diminution of Planning Blight

HS2 should prepare and issue full consultation documentation equivalent to the documentation provided in the Environmental Statements provided for Phase 1 at the earliest opportunity and before the Hybrid Bill for Phase 1 passes into law. This will enable a full and proper assessment to be made of proposals and appropriate compensation claims to be made and paid out.

The compensation proposals for HS2 Phase 1 should be extended to cover the Ridwares, which are the first Parish beyond the end of the proposed spur linking Phase 1 to Phase 2.

## 27 Road Closures in the Ridwares

Some detail is given in the documents provided for Phase 2 of HS2, which include closure and/or diversion of roads that will be crossed by the proposed route for HS2 or will be diverted during or after construction of Phase 2 of HS2.

Your petitioners believe that inappropriate road closure and diversions could isolate parts of the community from other parts. Notable potential problems include but are not limited to disruption of travel to and from schools, including children in Blithbury and Hamstall Ridware travelling to Henry Chadwick Primary School in Hill Ridware and Children in the same villages travelling to Fair Oak Academy and Rugeley Sixth Form Academy in Rugeley as well as other local schools. The same disruption would also occur for adults who live in the Ridwares and work in the surrounding towns.

## 28 Proposals for Alternatives to the Road Closures

There are two principal roads between Hamstall Ridware and Hill Ridware, both of which are crossed by the proposed line of the track. One goes via Blithbury and the other via Pipe Ridware. Under no circumstances should both of these roads be disrupted at the same time.

There are two principal roads between Blithbury and Rugeley, both of which are crossed by the proposed line of the track. One heads towards Hill Ridware and the other heads towards Colton. Under no circumstances should both of these roads be disrupted at the same time.

Access to and from Pipe Ridware, which is at the northern end of the viaduct across the river Trent and also the location of the maintenance loop should not be permitted along school lane in Hill Ridware between 0800 and 0915 and 15:00 and 16:00 during school term time. This is a narrow road and is the location of Henry Chadwick County Primary School.

## 29 The Maintenance Loop at Pipe Ridware

Your petitioners are concerned about the implications of the Phase 1 spur on HS2 for connection to Phase 2 and the location of the proposed maintenance loop. Your petitioners note the indicative location of a maintenance loop extending from the northern end of the viaduct across the River Trent. This is indicated in HS2 document *P2C16 Route plan and Profile Maps*, drawing number C320-AEC-RT-DPP-210-060302. This plan states that further design will be undertaken post-consultation. This means that the residents of the Ridwares will be denied the right to proper consultation over the maintenance loop. This is a contravention of their human rights.

No information is provided about the maintenance loop other than it stands on an embankment up to a height of 8.7 metres above ground level. It will be overbearing and dominant in the landscape. The maintenance loop would be less obtrusive if it were in a cutting.

No details are given of the proposed infrastructure at the maintenance loop including size, structures associated with the maintenance loop and details of any mitigation associated with the maintenance loop.

Your petitioners believe that in the absence of any details about the maintenance loop, there could be serious disturbance from light used to illuminate the maintenance loop, surrounding infrastructures, car parks and access points.

Your petitioners feel that they have been disenfranchised because they have not been afforded the same level of detail about such significant structures as the maintenance loop as given to people living close to the track line in Phase 1. In view of the inevitability of Phase 2 passing through the Ridwares as indicated by the existence of the Phase 1 spur noted above, your petitioners believe they have not been given their rights to proper consultation by this lack of detail.

30 Mitigation at the Maintenance Loop at Pipe Ridware

It is noted that HS2 document *High Speed Rail: Consultation on the route from the West Midlands to Manchester, Leeds and beyond, Sustainability Statements, Volume 2: Maps* indicates that there will only be mitigation for less than 300 metres beyond the end of the viaduct over the River Trent, while the proposed maintenance loop will be 1400 metres long. This means that there will be no mitigation for more than three quarters of its length. It is also noted that the maintenance loop is on an embankment for most of its length, which will make it more obtrusive and in greater need of mitigation. Placing the maintenance loop on top of the embankment is the worst possible location with respect to visual and noise impact.

Your petitioners believe that Phase 1 of HS2 as planned should not proceed without giving the residents of the Ridwares the same degree of fair documentation about road disruptions and consultation as afforded to people on the proposed route of Phase 1.

31 Proposals for Alternatives to The Maintenance Loop at Pipe Ridware

If Phase 1 is extended to Crewe as proposed in the Higgins report, the maintenance loop should be moved away from the proposed location, which is on an embankment rising to 8.7 metres above ground level, which will increase the impact of the maintenance loop. There are many lengths of the tracks within a few miles of the proposed location where the maintenance loop could be located in a cutting, which would greatly reduce the visual impact of the maintenance loop and improve noise mitigation, especially if trees were planted at the top of the cutting. The HS2 documentation states that further design will be undertaken post-consultation. The hybrid bill should not pass into law until full details of structures and facilities such as buildings, lighting, usage and traffic generated as well as parking required have been provided. Passing of the Hybrid Bill without providing such information will deprive the residents of the Ridwares the right to proper consultation on the effects of the maintenance loop, such as use of lighting and the level of activity at the site.

32 Continued Maintenance of Mitigation

HS2 and any successor body must ensure that there is adequate long term funding to ensure maintenance of any mitigation associated with HS2, including maintenance of any tree and other vegetation plantings as well as any structures such as fencing and sound barriers.

33 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.

34 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.

AND your Petitioners will ever pray, &c.

Signed Nigel Shepperson



[On behalf of Mavesyn Ridware Parish Council]