

**IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14**

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF PAUL NICHOLAS BRAITHWAITE

Against the Bill - On Merits - Praying to be heard in Person, &c.

**TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND IN PARLIAMENT ASSEMBLED.**

THE HUMBLE PETITION OF PAUL NICHOLAS BRAITHWAITE

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.

Your Petitioner

7. Your Petitioner, Paul Nicholas Braithwaite, is a resident of Camden and he has a number of hats under which to claim standing.

8. Your Petitioner, having been resident at 42 Bartholomew Villas, Kentish Town London NW5 (about two kilometres north of Euston Station) for 26 years was diagnosed as mildly asthmatic in 2008. In consequence he became a community activist out of concern for Air Quality in Inner London, particularly for cyclists' health. He became a founder member of Clean Air for London (CAL) and for three years has been a member of the Community Advisory Board (CAB) of King's College and Imperial Universities' MRC-PHE Centre for Environment and Health. Further, the Petitioner is a recognised Air Quality expert acknowledged by Prof Frank Kelly and Dr Gary Fuller, the leading UK academics at King's College, who operate the London Air Quality Network (LAQN).

9. Your Petitioner has had cause, as a cyclist to pass through the areas of Euston and Somers Town on nearly a daily basis from his home to meetings in Parliament, the West End etc.

10. Your Petitioner has, as Councillor for eight years from 2006 in the Canteloves ward where he lives has been Camden's official Cycling Champion. He chaired a Camden Health sub-committee investigation into the ramification of toxic air quality, presented to Camden Council in March 2010. This led to the Petitioner subsequently organising two public Air Quality Conferences in Camden - in November 2011 and October 2013, which involved the participation of many of the UK's leading Air Quality experts.

11. Your Petitioner has been Camden's Liberal Democrat Transport and HS2 spokesperson for four years to date and he has attended 27 public meetings about HS2 in Camden (included all of those organised by HS2 Limited in both CFA1 and CFA2 Community Forums) and the Petitioner organised four of those. He is an affiliate of the Pan-Camden HS2 Alliance (PCA), a member on Sir Edward Lister's "Euston Station Working Group" and also a member of the Euston Community Action Group.

How Your Petitioner is affected

12. Your Petitioner is injuriously affected by the Bill, in particular by air quality considerations and cyclists' safety to which your Petitioner objects for reasons amongst others, hereinafter appearing.

13. The Bill includes powers for the Secretary of State and the Nominated Undertaker to carry out construction works that will cause havoc over a wide area in Camden for a period of a decade (or more), followed by the loss of a large area of land around the station and loss of some roads – some permanently, thus reducing quiet alternative route.

14. The number of construction vehicles, mostly HGVs, will greatly increase on roads that are used by existing cycle routes. It has been established that it is dangerous for cyclists to share road space with HGVs. Statistically, HGVs pose a significantly higher risk to cyclists and other vulnerable road users than any other type of vehicle. In 2013 more than half of cyclist fatalities in London involved a heavy goods vehicle and hundreds of extra HGVs per day concentrated around the Euston Road site will inevitably result in lethal risks to cyclists in London. The demonstrable serious dangers for cyclists are shown in a study by Transport for London (TfL) which concluded that cyclists involved in collisions with HGVs are 78 times more likely to be killed than those hit by a car.

15. Air pollution levels on the Euston/Marylebone Road where the work is to be concentrated are among the highest in London and already breach EC directives. Saturation levels of traffic with hundreds of extra HGVs per day will cause heavy congestion and add to air toxicity with further lethal risks to cyclists as exposed road users.

Provision of information and background

16. Your Petitioner questions the reliability of information supplied by the promoter of the Bill, both prior to the deposit of the Bill and up to the date of the deposit of this petition. This has meant that thorough and detailed assessments of the proposed project with regard to air quality, its impacts and benefits have been impossible to compile. In particular, your Petitioner is still to be satisfied about the adequacy of the Environmental Statement. Baseline assumptions made over a number of generic issues have not been substantiated. Ancillary documentation such as the proposed Code of Construction Practice remains in a draft form which is neither acceptable in principle, nor in its presumptions, proposals and extent of detail.

17. HS2 Ltd has signally failed to assess the cumulative impact of the construction works on our communities, namely the noise, dust, vibration, ventilation, air pollution, loss of safe access routes, loss of amenity and daylight, rodent infestation, anti-social behavior, construction traffic, bridge closures, and congestion. There will be dust particulates generated both from demolition and during construction which will increase particulates for the area around and particularly for the Netley Primary School and Maria Fidelis.

18. Your Petitioner has grave concerns about the veracity of the data provided in the Environmental Statement Consultation, in that it is based on data modelled from air quality measuring stations remote from the areas most affected in West Euston and Somers Town.

Your Petitioner requests by way of mitigation

19. There is a need for air quality data to be collected for at least a full year prior to construction at HS2 Limited capital and running expense and for the duration of all construction works in and around Euston. The Petitioner maintains that the known appalling Air Quality on the Euston Road and the Station are more reason and not less to closely monitor real air quality, which is for most of the year near or exceeding World Health Authority guideline thresholds. Further, since prevailing winds are from the south west, that confirms the need for monitoring on the Somers Town side. Eversholt Street is a canyon, similar to Putney High Street - which has a long history, because of diesel-powered buses in a canyon

20. Your Petitioner requests immediate funding from HS2 Ltd for provision all operating costs of real-time air quality measurement equipment for NO2 and particulates to inform the residents and community, in two locations: proximate to the main construction site on the west at the National Temperance Hospital and on also the east side in Eversholt Street, proximate to Phoenix Road.

21. Further, all spoil and construction materials, wherever possible, to be transported to and from the HS2 construction sites by rail. Where that is not possible, the Heavy Goods Vehicles to be required to meet the standards of an ultra high Low Emissions Zone (ULEZ).

22. Your Petitioner wishes to be associated with the Petition of CCC (Camden Cycling Campaign) submitted by Jean Dollimore.

23. For the foregoing and connected v reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, clauses in Schedule 1 so far as affecting you Petitioner, should not be allowed to pass into law.

24. 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 PETITIONER therefore humbly prays 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 Themselves, 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 Petitioner in the premises as Your Honourable House shall deem meet.

AND your Petitioner will ever pray, &c.

Signed:

A handwritten signature in black ink, appearing to read "Paul Nicholas Braithwaite", is written over a horizontal line. The signature is somewhat stylized and includes a flourish at the end.

PAUL NICHOLAS BRAITHWAITE

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HOUSE OF COMMONS

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AGAINST, By Counsel, &c.

Paul Nicholas Braithwaite

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