

**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 Nick Hurd, Member of Parliament for Ruislip, Northwood and Pinner.

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 is the Member of Parliament for Ruislip Northwood and Pinner (hereinafter referred to as 'the Petitioner') and has a constituency office located at 32 High Street, Northwood, HA6 1BN is within the area that will be affected by the Bill. Your petitioner visits many constituents on a weekly basis and holds regular surgeries which draw individuals from across the constituency to access the assistance and interventions of their elected MP. Your Petitioner is injuriously affected by the scheduled works as the traffic congestion and road closures resulting from the construction of HS2 in Harefield and Ickenham will cause problems in carrying out his job within his constituency. Access will be difficult when crossing the constituency with delays as a result of diversions and closures. A significant number of your petitioner's constituents are persons who live in properties located within close proximity of the high speed railway and associated construction sites and will therefore be injuriously affected by the works authorised by the Bill. Your petitioner represents the views of the residents and businesses that are affected by the Bill and in particular those residents who are not able to petition themselves.

#### **Tunnel Extension**

8. The HS2 route is currently planned to run in tunnel from Euston to the West Ruislip Portal where it emerges and runs over ground until it reaches the Chiltern Tunnel South Portal. Through this over ground section of the works, the scheme requires the construction of the large earthworks (approx 3M cum.) excavation of the Cophall and Brackenberry cuttings, the repositioning of the 275KV overhead power line, the repositioning of the National Grid High Pressure pipeline and the construction of the 3.4km long Colne Valley Viaduct. These works make this one of the most expensive sections of the proposed line with the viaduct itself likely to be over £50.00m. 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 impact on your Petitioner and his constituents for that period of time. This will include vastly increased traffic especially of HGVs on the already over congested local roads for motorists and pedestrians, as well as the creation of dust and noise and serious disruption for the Petitioner's constituents living across the area during the construction phase.
9. Your Petitioner believes that an extended tunnel through Ickenham and under the Colne Valley lakes would remove the need for much of the surface-level construction work and so eliminate the worst effects of the scheme for local residents, protecting the area of Ickenham and removing the need for a viaduct over the Colne Valley.
10. Your Petitioner believes that the decision not to proceed with a tunnel under the Colne Valley was taken at the outset of the project and has not properly been considered. The

Promoters have acknowledged that a thorough assessment of a tunnel extension has not been carried out and to your Petitioner's knowledge no proper costing or detailed engineering work has been done in order to assess the viability of a tunnel extension. Nonetheless, despite confirming that no studies have been undertaken, the Promoters have suggested that the cost and engineering technicalities make the tunnel unviable. Your Petitioner is concerned about this approach and believes the option should be considered further.

11. Your Petitioner believes that a comprehensive review of a bored tunnel extension across the Colne Valley would reveal, on balance that it is a more preferable and a less costly option.
12. Should your honourable House not find in favour of a tunnel across Ickenham and the Colne Valley your petitioner requests that the tunnel as a minimum is extended to beyond Breakspear Road South, Ickenham thereby avoiding significant adverse noise impacts from an over ground railway to many hundreds of households and avoiding the siting of construction traffic for the tunnel portal in a residential area with high levels of traffic congestion. The feasibility of such a tunnel extension has already been analysed by HS2 limited.
13. The following paragraphs in this part of the petition set out in more details your Petitioner's justification for a tunnel and the remedies that your petitioner seeks should your honourable House not find in favour of a tunnel across Ickenham or the Colne Valley.

#### **Viaduct - noise impacts**

14. The proposed line passes through your Petitioner's constituency via a viaduct across the Colne Valley, with tunnel portals at each end. The proposed viaduct will be 10-15m metres overhead, with trains passing up to 36 times an hour at 320 km/hr. The viaduct will cross large bodies of water which is likely to have more noise implications than if it was travelling over land and the tunnel portals at each end will create their own noise impacts. There is also the impact of noise from the trains themselves to consider and from the overhead equipment.
15. The Bill proposes that there will be a 1.4m noise barrier on each side of the viaduct as it crosses the Grand Union Canal. It further proposes that the noise barrier height will be increased to 3m on the far side of the viaduct as it crosses Moorhall Road, offering some increased protection to properties on that side. However, in your Petitioner's view these differently sized noise barriers will provide a lesser level of protection from noise directed towards properties and tranquil amenity areas in Harefield, most of which sit on raised ground on the valley side.
16. Your Petitioner therefore believes that a tunnel extension under would remove the majority of the significant noise effects acknowledged in the Environmental Statement. It would remove impacts to hundreds of properties and allow the Colne Valley to remain a relatively tranquil environment. In the event that your Honourable House sees fit to require that the tunnel is not extended, your Petitioner requests that the noise barriers be of equal height

on both sides of the viaduct to ensure equal protection for residents on either side of the viaduct in both Harefield and Denham.

17. The petitioner also requests that the undertaker provide a detailed noise mitigation plan for all impacted communities during the operational and construction phases. The mitigation measures must be site specific to ensure that the impacts are appropriately addressed. Your Petitioner would request that the measures include a workable solution for the Colne Valley area that does not diminish enjoyment in a tranquil area.

### **Construction traffic**

18. Your Petitioner is concerned that there will be significant disruption and congestion to the local and wider road networks from construction traffic which would be avoided if the tunnel was extended under Ickenham and the need for large scale construction compounds were not required. Key routes and junctions within the Petitioner's constituency connecting the area to London, Heathrow and the west such as Long Lane, Ickenham High Road, Harvil Road, Breakspear Road South and Swakeleys are already highly congested at peak periods and the road system cannot sustain incremental HS2 traffic on the scale contemplated. Your Petitioner is concerned about the lack of local traffic data that went into assessing in the ES the impacts in the area. As a consequence, your Petitioner does not believe that the ES represents an accurate picture of the likely impacts. The construction traffic will have significant adverse impacts and will disrupt bus journeys and other traffic, adversely impacting businesses both locally and further afield.
19. Your Petitioner is also concerned that the Promoters were not aware of how the roads selected for construction traffic operate in reality. Your Petitioner considers that some of these roads cannot physically accommodate the quantity of traffic associated with the construction phases. Not only will this have a negative impact on other road users, but it could complicate and extend the construction programme for the Nominated Undertaker.
20. Your Petitioner believes that a tunnel extension would remove the need for construction traffic in and around Ruislip and Ickenham and therefore also remove the associated significant environmental and economic effects.

### **HOAC**

21. Hillingdon Outdoor Activities Centre ("HOAC") has been operating since 1990 and, since 1992 has been doing so as an outdoor and environmental youth education charity. It now provides leisure and educational activities for some 22,000 users each year from a wide range of geographical areas and backgrounds. Approximately 44,000 visits are made to HOAC every year. Many of HOAC's activities are water-based and are carried out on Harefield No.2 lake in the Colne Valley Park.
22. Your Petitioner is aware that HOAC will have no option but to close during the construction of the works authorised by the Bill and owing to the viaduct crossing the lakes it will not be able to return afterwards. The closure of the site will result in the loss of staff and its customer base.

23. Your petitioner believes that an extension to the tunnel will remove the impacts on HOAC and allow it to fully function through the construction phases. If this honourable House does not see fit to extend the tunnel under the Colne Valley and HOAC will have to close as a result of the carrying out of the works authorised by the Bill, the Promoters should be required to provide all assistance necessary in securing an alternative location for HOAC in the vicinity.

#### **Specific Request Regardless of Tunnel Extension Suitability**

##### **Heathrow Spur**

24. A Heathrow spur carrying the railway to Heathrow Airport is currently on hold awaiting recommendations from the Airports Commission, and the government has said that if it is to be brought forward, it would be in Phase Two of HS2. The current hangover of the Heathrow spur option is causing property blight in the petitioner's constituency which will last for years.

25. Your Petitioner is of the view that no business case has been developed for a Heathrow spur despite an estimated price tag that runs into billions of pounds and that even if Heathrow is chosen as the airport to expand in the South East, your Petitioner believes that connectivity from Old Oak Common will meet demand from the North, while links to Heathrow out of London are excellent.

26. Your petitioner therefore requests that the option of a Heathrow Spur is dropped and the money used be used to build the Colne Valley tunnel as requested.

##### **Spoil conveyer at West Ruislip tunnel portal**

27. Your petitioner is aware that in the proposals when the tunnel boring machine (TBM) is operational while drilling the tunnel for the part of the railway line which emerges at the West Ruislip tunnel portal the machine will be in operation 24 hours a day with a conveyer also in operation to transport the spoil from the tunnel.

28. Your petitioner and his constituents living close to the West Ruislip tunnel portal are concerned about the adverse noise impacts of the TBM in operation for 24 hours and the conveyer transporting the spoil.

29. Your Petitioner therefore requests that like the proposals for the tunnel portal at Old Oak Common the conveyer transporting spoil is covered over to help reduce the noise impact of 24 hr working when the TBM is operational.

##### **Construction: effect on residents/compensation**

30. Your Petitioner submits that the compensation provisions in relation to property that is not compulsory acquired and other matters are not sufficient to compensate your petitioner's constituents for the loss and damage they may incur as a result of construction and operation of the high speed railway and associated development. Many households in the petitioner's constituency will be affected by blight from construction sites and construction traffic for up to ten years and are unable to sell their properties at an unblighted price.
31. Your petitioner requests your honourable House to amend the Bill to ensure your Petitioner's constituents outside the safeguarded areas of 120 and 300m who are adversely affected by loss of value to their properties should be entitled to claim compensation.
32. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and his constituent's rights, interests and property and for which no adequate provision is made to protect your Petitioner and his constituents.

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.

Signed NICK HURD MP



IN PARLIAMENT

**HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL**

PETITION OF NICK HURD MP

Against the Bill – On Merits – By Counsel &c

NICK HURD MP

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