

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013–14

## HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – [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:

MR TIM WADLAND and MRS ANN WADLAND, MARTIN WADLAND, WADLAND LIMITED  
and MC & AC WADLAND

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 (referred to in this petition as the Promoter).
- 3 Clauses 1 to 3 of the Bill combined with Schedules 1 to 4 provide for the construction and maintenance of the proposed works including the ‘Scheduled Works’ in Schedule 1.
- 4 Clauses 4 to 18 of the Bill, along with Schedules 5 to 15, make provision for compulsory acquisition and the temporary use of land and for the extinction or exclusion of certain rights in land. Provision is also included for the application or variation of compensation provisions.
- 5 Clauses 19 to 36 of the Bill and Schedules 16 to 26 make reference to the planning requirements and measures that will apply throughout the process and provide for the deregulation of various controls and measures for such things as water, listed buildings, noise, trees and local legislation.

- 6 Clauses 37 to 42 of the Bill, together with Schedules 27 to 28, provide for matters in connection with the railway, such as the disapplication of licensing requirements and of existing statutory procedures, the current asset ownership of the railways affected and their usage for the scheme.
- 7 Clauses 43 to 65 of the Bill, including Schedules 29 to 31, encapsulate the remaining matters and miscellaneous provisions, including detail on statutory undertakers, the compulsory acquisition of land for regeneration or relocation, and the application of the Environmental Impact Assessment Regulations.

*Your Petitioners*

- 8 Your Petitioners are Mr Tim Wadland and Mrs Anne Wadland, Martin Wadland, Wadland Limited and MC & AC Wadland.
- 9 Your Petitioners own Hill Farm and Three Shires Farm (Martin Wadland) and The Three Ways (Mr and Mrs Tim Wadland), all at Lower Boddington, Daventry, Northamptonshire, NN11 6XX, which comprise the residential home of the Petitioners and form the centre of their farming business.
- 10 The main farming business is run from an office at The Three Ways, Lower Boddington. The centre of the farming operations is based at the farm buildings at Hill Farm, Lower Boddington.
- 11 The in-hand farming operation comprises approximately 750 acres within the parish of Boddington. In addition to the main farm, there is an extensive contract farming enterprise, with supplementary land taken on share-farming and agricultural tenancies covering an extra 1,000 acres farmed within the area of the principal holding.
- 12 The farming business of Wadland Limited supports one full time member of staff together with the share farming partners and one secretary. In addition, four to five part time members of staff are employed over the harvest and autumn cultivation periods.
- 13 In addition to the farming business, the holding supports a very successful shoot which is spread over and run in conjunction with Mr Taylor at Washbrook Farm, Aston-Le-Walls and Mr Frusher at Manor Farm, Aston-Le-Walls. The collective shoot runs days throughout the season.
- 14 Parts of your Petitioners' landholdings are subject to compulsory acquisition or are required for temporary use under the Bill. Other parts lie outside of the limits of deviation or the limits of land to be acquired or used but will also be detrimentally affected by the exercise of powers under the Bill.

- 5
- 15 Your Petitioners' holdings are identified on Sheets Nos. 2-88 and 2-89 (in the District of South Northamptonshire, Parish of Boddington) of the plans deposited with the Bill. Various areas are materially and detrimentally affected. They include agricultural land, woodland, hedgerows, watercourse diversion, access track and highway access routes, including some of the new farm buildings and the weighbridge.
  - 16 Such is the extent of the impact on your Petitioners' farming operations that the provisions of the Bill will have a seriously adverse impact on your Petitioners' enterprise as a whole, not just on specific parts of it.
  - 17 Your Petitioners therefore object the Bill, as currently drawn, and are willing to prove that they and their property interests are injuriously and prejudicially affected by the Bill for the reasons, amongst others, given below.

#### *Your Petitioners' concerns*

##### *Highways layout*

- 18 Hill Farm is located off the Banbury Road running east from Wormleighton to Upper Boddington. Your Petitioners consider that insufficient thought has been given to the proposed new layout and re-routing of the Banbury Road through to Warwick Road from Wormleighton to Upper Boddington, which runs directly past the frontage of Hill Farm. Typical farm vehicular movements from this holding are by heavy tractors or lorries of up to 29 tonnes plus trailers of an additional 14 tonnes with restricted turning circles or move off speed.
- 19 From the Draft Environmental Statement Map Books CFA15, figure No: CT-06-079a, the Landscape Mitigation Earthworks and Plantings, the alterations to this road brings it within the curtilage of the main farm buildings, cutting off part of a building, the weighbridge and the corner of a newly constructed grain store, which is essential to the operation of the main farm and contract farming business run from it. Your Petitioners submit that this proposed road network should be reassessed and revised so that the loss of buildings and other adverse impacts can be avoided.
- 20 This route is also one of the main fast cut-throughs for commuting traffic. Insufficient regard has been paid to this material factor. Your Petitioners are concerned at the prospect of traffic delays, the risk of a major incident and other health and safety issues arising. What has been proposed leaves the entrance of Hill Farm opening onto a blind junction, which is wholly impractical and dangerous for a road used by heavy farm vehicles.
- 21 Your Petitioners (also supported by the local communities at Wormleighton Parish Council and Priors Hardwick Parish Council) support a proposal for a green bridge over the railway to the west of Hill Farm between Stoneton Road and Wormleighton Road. This would ease the traffic movement and right of way issues arising from the current proposal and reduce the problem of access to Hill Farm and of movement on

the Banbury Road. It would also facilitate the creation of a wildlife corridor, and reduce the loss of land, including environmentally important mature woodland.

- 22 Within the Draft Environmental Statement at Point 2.2.27, an over bridge for an offline replacement of Banbury Road is proposed. Where stated, the elevation of this road over the railway line is to be 2m above existing ground level. This elevated position would be in direct line of sight of Hill Farm and The Three Ways as it runs down the valley towards Wormleighton. There remains no visual screening for this.
- 23 The Promoter is also proposing a realignment of the leisure drive towards Lower Boddington from Fox Cove along the north side of the proposed scheme to join the Banbury Road near the proposed over bridge, removing a large swathe of the corner field at Hill Farm including visual screening which has been planted in previous years. This also involves, without any explanation or consideration, impact on the hydrology of the surrounding area, following diversion of the road and water course.
- 24 Further, this section of the line will entail a maintenance loop of approximately 1.25km to allow for trains to be parked should it be necessary, which equates to the track being 16m wider than the standard two track sections as an additional loop needs to be inserted.
- 25 Your Petitioners contend that all these proposals have been poorly designed and should be substantially revised.

#### *Land take*

- 26 Where the land is not required for the permanent railway or associated works then the land should not be compulsorily acquired. If a temporary use only is required, then short-term access or possession arrangements should be taken. The unnecessary purchase of land which is surplus to the railway's requirements will cause unnecessary disruption and aggravation to your Petitioners and concerns over the repossession of that land upon completion of the works. There are uncertainties as to whether the land will be conveyed back to them and about the cost and the tax implications, amongst other things.
- 27 Your Petitioners submit that the practice of temporary land being compulsorily purchased, utilised and then handed back to the landowner on a "right to first refusal" basis under the Criche! Down rules as and when construction has been completed should not be allowed. Temporary land take should be negotiated by way of lease or licence to provide security and a form of income to the Petitioners for the duration of the occupation. This would protect them from the uncertainty of whether the land will be returned to them and properly reinstated. This also avoids the landowner from having to lose the legal title and the added complications this can cause if the land is mortgaged or charged.

- 28 Where severance of land occurs to your Petitioners' holding they contend that future ownership and management of the land should be agreed with them from the outset.
- 29 The Petitioners would like to engage in proactive discussions with the Promoter and HS2 Limited prior to commencement of the works for an active involvement in the mitigation, restoration and boundary decisions to ensure cohesion with the landscape area in question and management ease going forward.

### *Compensation*

- 30 In respect of the compulsory purchase of your Petitioners' land and other matters contained within the process, your Petitioners are not satisfied that it adequately covers and provides for full and fair compensation for the land loss, damage, disturbance and inconvenience that will result from the construction and operation of the proposed scheme.
- 31 Your Petitioners seek a commitment to reimburse them for the cost of time spent and the professional advice obtained in the reorganisation of their farming operations and other costs incurred from the reorganisation of the holding caused by the proposed works, to include the loss of future income foregone from such enterprises as the sporting activities.
- 32 Where additional land is taken, thus reducing the operating area, and potentially threatening the retained contract farming operations, the fixed costs already incurred through mechanisation and employment are irreplaceable costs which cannot be straightforwardly reduced in line with the changes the railway imposes. This jeopardises the financial viability of the business and your Petitioners seek a commitment from the Promoter that this type of loss will be fully accounted for when compensation is assessed.

### *Disturbance and intrusion*

- 33 Limited data and information has been provided on the noise, dust, light and visual (permanent and temporary) pollution that may be experienced. For example, there is no reparation data and the contour maps are based upon a calculated measure of contours, and therefore only theoretical, and not on actual measured values.
- 34 The residual impacts of the temporary satellite compound and long term disturbance of the railway line through light pollution (day and night), vibration disturbance and construction traffic are also unclear. Your Petitioners seek measures to ensure that they will be properly controlled and that the impacts will be minimised from the design stage onward.

- 35 Your Petitioners seek a mechanism by which the nominated undertaker will adhere fully to the Code of Construction Practice to regulate the construction works. This should include a clear and direct form of recourse for your Petitioners if the code and other related obligations which affect your Petitioners are not observed. Adherence to the code should also include interaction with your Petitioners to ensure that mitigation measures to suit the holding are adopted from the outset.
- 36 Additionally, your Petitioners are concerned that the construction process will cause a spread of crop seeds and plants along the route corridor. The spread of seed or weeds is likely to be significantly detrimental to the surrounding areas of disturbed soil. There is also huge potential for spread of existing weeds or invasive and damaging weeds or those brought in from elsewhere. Your Petitioners seek detailed measures as how this problem is to be handled.
- 37 Your Petitioners have a general concern about increased journey times during the construction period, especially around the busy harvest period where heavy vehicular movements are continuous throughout the day and night. Your Petitioners seek measures to prevent any disruption of such activities or to the access to your Petitioners' premises by their staff.
- 38 Your Petitioners are also concerned that aftercare works will not deal satisfactorily with the risk of land settlement and drainage failures caused by the works. Your Petitioners submit that remedying all such matters should be the responsibility of the Promoter within an agreed time frame and in respect of land whether acquired permanently or temporarily, and in respect of land contiguous to the scheme but not necessarily acquired.

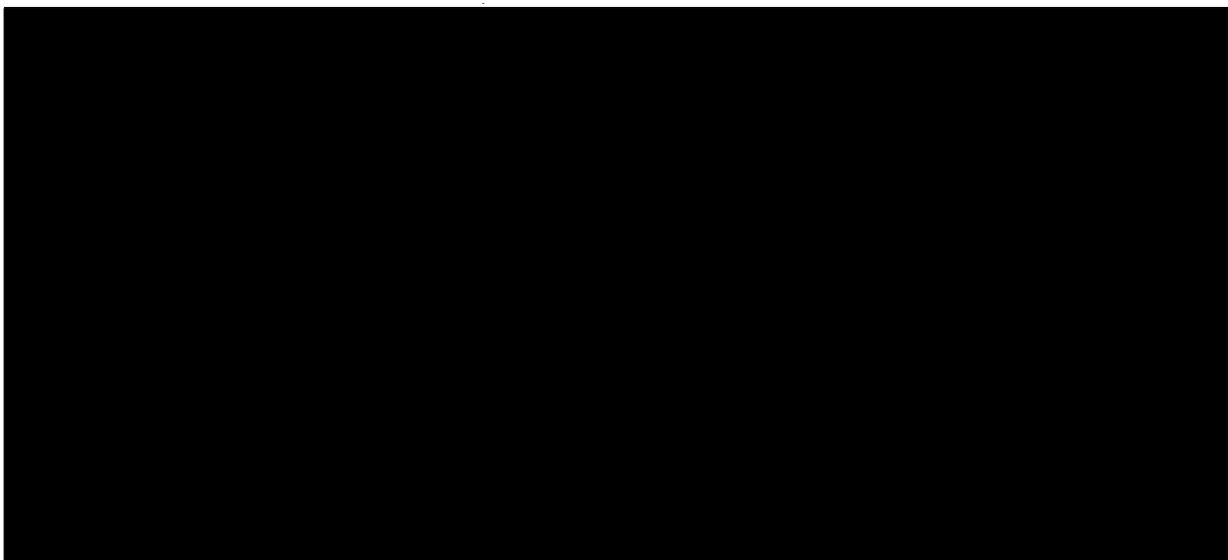
### *Conclusion*

- 39 The proposals in the Bill fail to have adequate regard to your Petitioners' farming and business operations. The proposed new road layout is completely impracticable. Therefore for these and the other connected reasons referred to in this Petition, your Petitioners respectfully submit that, unless the clauses and provisions of the Bill that relate to your Petitioners are removed or revised in order to address properly and satisfactorily their concerns, the Bill should not be allowed to pass into law.
- 40 Through an apparent lack of understanding by the Promoter and HS2 Limited of the local conditions and of the Petitioners' farming business, the proposals fail to minimise the impact that both the construction and the subsequent operation of the scheme will have on your Petitioners' farming business.

41 The Petitioners reserve the right to raise the above matters and any further matters relating to the substance of the Bill, this Petition and any other problems relevant to your Petitioners' express concerns that may arise in due course and prior to representation before the Select Committee.

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.



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PETITION OF

MR TIM WADLAND and MRS  
ANN WADLAND, MARTIN  
WADLAND, WADLAND LIMITED  
and MC & AC WADLAND

AGAINST, By Counsel, &c.

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Solicitors and Parliamentary Agents

23 May 2014