

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION

Against the Bill – 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
MRS PAULINE MARY MARGARET BISHTON

SHEWETH as follows:

1. A Bill (hereinafter called “the Bill”) has been introduced into 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. 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.

3. Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.
4. 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.
5. The works proposed to be authorised by the Bill ("the Authorised Works") are specified in clauses 1 and 2 of and Schedule 1 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 the Bill.
6. Your petitioner is the joint owner of the property known as Shaw Lane Farm, Shaw Lane, Hanch, Lichfield Staffordshire WS13 8HL. Your Petitioner occupies the property with her joint owners and two other family members.
7. It is proposed by the Bill to authorise the compulsory acquisition of land forming part of your Petitioner's property and in accordance with the standing orders of your honourable House notice has been served on your Petitioner of the intention to seek such compulsory powers.
8. Your Petitioner and her rights, interests and property will be injuriously affected by the provisions of the Bill, and your Petitioner accordingly objects thereto for the reasons, amongst others, hereinafter appearing.

Extent of land take

9. The extent of land taken represents a small proportion of the overall property with the retained property including the dwellinghouse, stables and outbuildings being subject to severe injurious affection due to the proximity of the property to the route of the proposed railway and the property being in very close proximity to proposed works compounds to be situated both to the east and south of the retained property.

Injurious Affection

10. In view of the proximity of the property to the working areas, the property will be severely affected by factors such as noise, dust, artificial lighting, loss of privacy and increased security risks.

These factors will be aggravated as the property is subject to the proposed link to the West Coast Main Line and it is anticipated that work to this section will have to be carried out at night time and weekends when closure of the West Coast Main Line is allowed so increasing the injurious affection.

Access

11. It is proposed as part of the works that Shaw Lane to the south of your Petitioners property will be closed. In order to reach the B5014 Lichfield Road at Hanch will therefore necessitate an additional length of journey of some 2.2 miles via a narrow country lane which crosses a bridge over the Trent and Mersey Canal which is subject to a weight limit. The closure of Shaw Lane will cause considerable inconvenience and be a major factor in depreciating the value of the property.

Effect of Construction on Residential Amenity

12. The time predicted for construction is in the region of ten years. Your Petitioner considers that the affect on living conditions for this length of time are unacceptable.
13. Your Petitioner considers that the construction will severely resist the ability to utilise the land at the property and adjacent land and roads for the riding of horses.

Safeguarded Area

14. The Safeguarded Area extends only to a small proportion of the property and your Petitioner considers this to be wholly inappropriate in view of the location of the property to the proposed works

Acquisition of Property

15. Your Petitioner considers that the current provisions for the acquisition of property are inadequate and inappropriate and do not adequate cover circumstances such as the position of

your Petitioner. In view of the material detriment caused to your Petitioner's property by the scheme, it is considered that provision should be made for acquisition of her property.

Compensation, generally

16. The compensation regime set out in the Bill is inadequate and must be improved. In any event, any payment of compensation that is due to your Petitioner must be made as early as possible and must carry interest at a rate higher than is proposed under the Bill.

General

17. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioner and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

YOUR PETITIONERS THEREFORE HUMBLY PRAY

your Honourable House that the Bill may not pass into law as it now stands and that they 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 amendments as may be necessary and proper for their protection and benefit.

AND YOUR PETITIONERS will ever pray, &c.

Signature of Petitioner in person

MRS PAULINE MARY MARGARET BISHTON



HOUSE OF COMMONS

SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS

PETITION

of

MRS PAULINE MARY MARGARET BISHTON

AGAINST,

BY COUNSEL, &c.