

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 JEREMY WRIGHT MP

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 Kenilworth and Southam (hereinafter referred to as 'the Petitioner') and has a constituency office within the area that will be affected by the Bill. Your Petitioner holds regular surgeries which draw individuals from across the constituency to access the assistance and intervention of their elected Member of Parliament. Your Petitioner is injuriously affected by the scheduled works as the traffic congestion and road closures resulting from the construction of HS2 in Kenilworth and Southam will cause problems in carrying out his job within his constituency as access will be difficult when crossing the constituency with delays as a result of diversions and closures. A number of your Petitioner's constituents are businesses and persons who work and live in properties which will be compulsorily acquired, or if not being compulsorily acquired, are 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. Your Petitioner respectfully requests that he be heard by the select committee which considers the Bill, both as a private citizen and as a Member of Parliament representing the views of his constituents.
8. Your Petitioner is concerned about the impacts of the surface works and operation of the railway within the Kenilworth and Southam constituency, in particular the

works 2/133 to 2/183A, the land acquisition and its designated uses, the highways and electrification changes, as listed in Schedule 1, 3, 4 and 5 of the Bill and in the parishes of Wormleighton, Priors Hardwick, Ladbroke, Southam, Long Itchington, Offchurch, Cubbington, Stareton, Stoneleigh, Kenilworth and Burton Green, for reasons, amongst others, hereinafter appearing.

9. Your Petitioner believes the construction and operation of HS2 will have significant and adverse effects on the social, environmental and economic cohesion of the communities through which HS2 passes and will seriously reduce the ability of residents to appreciate the lifestyle they have chosen and currently enjoy.
10. Environmentally, ancient woodland will be destroyed, numerous public rights of way will be severed and green belt land will be severely harmed by the earthworks proposed. Many roads throughout his constituency will be closed or rerouted and there is concern that in some smaller communities such as in Ladbroke and Southam, the isolation effects caused by high increases in traffic, particularly HGVs during the construction period have been underestimated. In addition, many of the roads designated to carry construction traffic are unsuited to both HGV and other construction vehicles and will be unable to withstand the high levels of lorry movements as set out in the Environmental Statement.
11. In Kenilworth town, five of the major roads will be crossed by HS2 and your Petitioner is concerned about the effect road closures and diversions will have on businesses in the town, many of which are small independent shops, cafes and restaurants. There are similar concerns in Southam, where shops and services are vital to satellite rural areas and who rely on this custom for survival. Road closures across your Petitioner's constituency will have to be managed carefully in an attempt to safeguard the local economy, maintain access for emergency services and for constituents to go about their daily business whether by foot, private car or public transport, with as little disruption as possible.
12. Your Petitioner has sought to work with the Promoters of the project in their development of the proposals alongside other petitioners in his constituency. Your Petitioner is however disappointed that none of the mitigation measures raised by his constituents have been properly considered, other than by cost. Your Petitioner is therefore concerned with the appraisal work, design and development of the project in its current format and the particular powers now proposed in the Bill. Your Petitioner believes that all locations affected by the line in his constituency are deserving of a better deal from the Promoters as outlined in his petition.

13. Your Petitioner is very concerned about the effect of HS2 on the property market in his constituency and in particular property values of constituents' homes in close proximity to the line and above tunnels. Property values are already depressed as a result of the line and a number of communities, such as Burton Green will suffer further blight when construction work begins. This is a very great cause of concern, stress and anxiety to the Petitioner's constituents who wish to sell their homes but are unable to do so and describe how they are effectively trapped in their homes with little hope of compensation where they are more than 120 metres from the centre of line. Your Petitioner believes a compensation scheme that is fair to all of his constituents who are affected by the line is long overdue and should compensate those who suffer blight, but will also tackle the root cause of property blight – the loss in property market confidence.

Site Specific Issues

Burton Green

All of the communities along the proposed route in Kenilworth & Southam will be affected to varying degrees. Burton Green will be very significantly affected by the construction of and subsequent operation of the line. The village school will become isolated from much of the village. As detailed in the Environmental Statement, over 70 properties will be affected in Burton Green during construction of the line, which is significant in a village with only 263 homes. Your Petitioner requests your Honourable House to reconsider the benefits that would arise from the revision of the tunnelling proposals in this locality (and in particular lend support to the local community in their request that an independent review should take place of discarded options). Your Petitioner has always supported the case for a deep bored tunnel under the village and believes this would provide reassurance and protection to the community and the future of Burton Green.

Kenilworth

Your Petitioner is concerned about the effect construction of the railway will have on the local road network and retailers as a consequence. It is imperative that diversions and closures are managed during the construction period and that main commuter routes are not closed at the same time. In order to safeguard the local economy your Petitioner requests your Honourable House to require the Promoter to establish a compensation scheme and funding for the promotion of retailers in Kenilworth (and in other retail centres across the constituency, including Southam) whose businesses are likely to be disrupted by the construction of the railway line.

Your Petitioner is also concerned about the impact of the proposed route through the Crackley Gap and shares the local desire to protect this area of green belt land. Historically your Petitioner has always resisted any development on this land, which separates Kenilworth from Coventry, in order to prevent urban sprawl. Your Petitioner requests that the Promoter be required to ensure the integrity of this narrow belt of open countryside from encroachment through the incorporation of extensive mitigation measures.

Your Petitioner is also concerned about the impact of the line on Kenilworth Golf Club, a successful local business with almost 1000 members and an annual turnover of almost £1 million, serving the population of Kenilworth and its surrounds. Land will be compulsorily acquired with a significant and irredeemable effect on the operation of the golf course, which will require substantial redevelopment threatening the viability of the business due to the high cost (of redevelopment). In addition, the substantial increase in noise levels identified in the Environmental Statement will affect one third of the holes. Your Petitioner believes that no provision for sound insulation has been made for the club and a game that requires a quiet setting. During construction of the line the Club will have great difficulty in retaining members threatening the viability of the business. Your Petitioner requests that the Promoter reassesses the proposals submitted by the Club, taking into account the aspects of the sport of golf which make it distinct from other leisure facilities.

Stoneleigh

Stoneleigh Park is an important local employer in the County of Warwickshire, employing nearly 1200 people. There are large scale development plans as a growth site for further employment. Despite the Promoter being aware of these long term plans your Petitioner is concerned the plans have been ignored and fears the project will have a serious impact on the Park's economic and commercial interests. The permanent severance of a substantial section of the park from the remainder is a major concern and your Petitioner expects the Promoters to devote significant resources towards extensive mitigation measures in order to minimise any such impacts. Your Petitioner is aware that other petitioners will request that a cut and cover tunnel should be provided at Stoneleigh Park and supports such a proposal as it would meet your Petitioners' concerns about the long term impacts of the works.

Cubbington and Offchurch

The proposed route of the railway will mean the destruction of ancient woodland in this area. The woodland is home to a diverse range of species, including noteworthy flowers, insects and birds. The railway will also sever two designated footpaths, Shakespeare's Avon Way which links Cubbington and Weston-under-Wetherley, and

another from Cubbington to Offchurch and Hunningham. The National Planning Policy Framework highlights the importance of protecting “irreplaceable habitats” including ancient woodland and veteran trees. It recommends that planning permission should normally be refused for development in these cases. In order to avoid the impact of the railway on the historic and natural environment and surrounding area, your Petitioner supports the case for the railway to be constructed in a deep bored tunnel under South Cubbington Wood, rather than the proposed deep cutting, and respectfully asks your Honourable House to amend the Bill accordingly. Your Petitioner also requests your Honourable House to require that the Nominated Undertaker should provide a green bridge to be built over Offchurch Greenway and the Fosse Way, and between the Greenway and the village. This would bring many benefits to local residents in terms of health, wellbeing, amenity, sustaining ecology corridors and maintaining cycle and walking routes and community connectedness. Your Petitioner is aware this is a matter of great importance to his constituents.

Southam

Your Petitioner has already alluded to the importance of the small market town of Southam, which serves as a local centre for the surrounding villages. The town offers day to day services and facilities including schools, GP and dental surgeries, library, shops, banks, retail etc. It is imperative that access to the town is maintained during the construction and operation of the line so that local residents are able to access these services. Your Petitioner requests that the Promoter sets up a compensation scheme or promotional fund for the retailers in Southam whose business will inevitably suffer from disruption from reduced access and to provide or fund a community transport scheme during the construction period in order to ameliorate the effects of isolation and transport disconnection.

Ladbroke

Ladbroke is a tranquil and rural village and its residents face disruption from the construction of HS2. Your Petitioner expects the Promoters to compensate properly for this disruption and to mitigate, to the highest standards, both visual and noise impacts where the line enters and exits the deep cutting in Windmill Hill and crosses the A423. Construction and operational noise can have a negative impact on physical and mental health and wellbeing, disturbing sleep patterns and concentration, and increasing stress and anxiety. Your Petitioner requests your Honourable House to impose stringent noise mitigation standards at this and other locations.

Ladbroke is reliant upon access to Southam for all local shopping needs and many residents believe the isolation effects caused by high increases in traffic, particularly

HGVs, have been understated. As part of the package of mitigation measures, your Petitioner requests your Honourable House to require the installation of a cycle way by the Nominated Undertaker between Ladbroke and Southam. This would promote the use of sustainable travel and provide the community with a safe link to the nearest urban area and would also impact positively on health.

Your Petitioner is also concerned about future flood risk to the area and expects the Promoters to mitigate future flood risk through the installation of the highest quality flood defences and balancing ponds, working with your Petitioners, the district council and county councils, the Environment Agency and the relevant landowners.

Noise

Your Petitioner is extremely disappointed that given noise is such a fundamental issue in terms of opposition to and mitigation of this project, no adequate proposals have been brought forward to address its effects. The Promoter has failed to provide accurate information on what the trains will sound like and your Petitioner is concerned that noise issues are not being properly addressed. It is imperative that the best available noise barriers are provided according to the quality and design most suitable for their location and sound barriers erected at the earliest appropriate time to ensure maximum efficacy.

Code of Construction Practice (CoCP)

Your Petitioner is concerned the proposed Code of Construction Practice remains in draft form and will wish to ensure the Code is complied with properly. The Code of Construction Practice does not identify how any lead contractors will be made to comply and the redress and appropriate action that might be taken in the event that the contractors do not comply with the Code of Construction Practice. Assessment in the environmental statement is made on the assumption that the Code of Construction Practice and the strategies will be fully effective. However, the Code of Construction Practice has no legal status and could be unenforceable and remain unmonitored.

The term, 'reasonably practicable' has been used frequently throughout the Code of Construction Practice but it is not clear who will decide what is 'reasonably practicable'. Your Petitioners seek assurances that corners will not be cut and 'practicability' is not used as an excuse for cost saving.

14. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner, his constituents and their rights, interests and property and for which no adequate provision is made to protect your Petitioner.

15. YOUR PETITIONER JEREMY WRIGHT 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 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 his constituents 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 and his constituents in the premises as your Honourable House shall deem meet.

AND your Petitioner will ever pray, &c.

Signed JEREMY WRIGHT MP

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