

**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 TWYFORD CRICKET CLUB IN THE COUNTY OF BUCKINGHAMSHIRE

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.

## ***7.0 Who is your Petitioner***

7.1 Your Petitioner is Twyford Cricket Club ("the Club") (acting by its Chairman, Stuart Misseldine, its Vice-Chair, Richard Wade, and the club's committee) in the district of Aylesbury Vale in Buckinghamshire.

7.2 Your Petitioner is a cricket club which runs 3 adult teams (all of which compete in the Cherwell League) and 4 junior teams (which compete at under 16, under 13, under 12 and under 11 age groups). The Club plays its home fixtures at Twyford Recreation Ground ("the Ground"), which lies adjacent to the proposed line of HS2.

### **8.0 Your Petitioner's concerns:**

8.1 There are clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and its rights and interests and for which no adequate provision is made to protect it. As outlined in this petition your Petitioner has substantial concerns

### **9.0 The impact of noise and specific measures**

9.1 The Club has read the petition presented by the Twyford Parish Council which covers the issue of the impact of noise etc on the community of Twyford (and its surrounding area) as a whole. The Club agrees entirely with the contents of that petition. The Club, in this petition, sets out the specific adverse impact that HS2 will have on its operation as a cricket club.

9.2 The following paragraphs (9.3 to 9.9) repeat and adopt the contents of paragraphs 9.5-9.11 of the petition presented by the Twyford Parish Council on the issue of the impact of noise. The Ground is located at the northern end of Twyford and, as such, is closer to the proposed line than any of the properties referred to in paragraphs 9.3 onwards. For the reasons stated at paragraph 9.10 below the impact of the railway on the use of the Ground would be such as to render it unusable for its use as a cricket ground.

9.3 "The significant effect criteria recorded in Table 3 as OSV13-CO2 is defined in Table 5 as:- "Approximately 10 dwellings in the vicinity of Grange Close and Church Street closest to the route and their associated shared community open areas (local playing fields with clubhouse). Forecast increases in sound from the railway are likely to cause a moderate adverse effect on the acoustic character of the area around the closest approximately five properties."

9.4 Your Petitioner considers that a maximum daytime level of 40 dB(A) and a night-time maximum level of 35dB(A) would be much more reflective of the prevailing conditions in the parish of Twyford and requests that the Promoter provide additional mitigation so that those standards are reached.

9.5 The World Health Organisation (WHO) regards 50dB day time noise level as the level that should not be exceeded to protect the majority of people from being moderately annoyed during the daytime. It also says that to protect the majority of people from being seriously annoyed, the day time level should not exceed 55dB. However, the WHO guidelines refer to a steady continuous noise which HS2 certainly is not.

9.6 The WHO says that most countries in Europe have adopted 40dB as the maximum allowable for new developments whenever feasible. The WHO states that for the primary

prevention of subclinical adverse health effects related to night time noise in the population, it is recommended that the population should not be exposed to night noise greater than 40dB of L night outside the residential property during that part of the night when most people are in bed.

9.7 It is the opinion of your Petitioner from the evidence set out in the Environmental Statement that the mitigation proposals are insufficient to protect your Petitioner from the increase in noise levels that are predicted.

9.8.0 Your Petitioner respectfully suggests that the following measures taken as a package would improve the position of those residences within your Petitioner's parish

9.8.1 Move the line further away from the village of Twyford as described elsewhere in Your Petitioner's submission

9.8.2 Reduce the speed of the trains as they pass the village. Speed reduction will not only significantly reduce the noise but also allow greater route flexibility to avoid village blight.

9.8.3 Increase the height of the bund to above the pantograph level as this will inevitably reduce the overall noise levels,

9.8.4 Your Petitioner notes that the height of the bund is not stated in the Environment Statement but it is assumed to be the same level as the sound wall at 5 metres above track level. This is evidenced by the photomontage taken from the land adjacent to St Mary's House.

9.8.5 OR Preferably, lower the track level. If the track level is lowered, and assuming that the bund is maintained at its proposed height, it will reach nearer to the pantograph level and hence be more effective at reducing noise. Lowering the track has, in your Petitioner's humble opinion a benefit to be carried over to the neighbouring parish of Chetwode.

9.8.6 Plant trees along the old Great Central Railway footprint in the first year of construction such trees to be of native species such as black poplar, oak, birch etc. to provide an additional sound barrier that will have time to grow before the operational phase is attained. Your Petitioner would welcome such a step as early planting could have a benefit in respect of the reduction of dust and air pollution during the construction phase

9.8.7 If further mitigation measures are not forthcoming, then your Petitioner would expect that an undertaking be given that the actual noise emissions do not exceed that which HS2 Ltd predict in SV-001.000.

9.9 Your Petitioner is further concerned at the lack of noise mitigation to the northern side of the line throughout its length through the Petitioner's parish. This will impact on both walkers using the reinstated footpaths to this side of the line as well as on the few number of properties within a few hundred metres of the line. Your Petitioner respectfully suggests that the omission of noise mitigation as described is addressed."

9.10 As stated at paragraph 9.2 above, the Club plays its matches at the Ground in Twyford. The environmental impact of both (1) the noise and (2) the sight of trains passing by the Ground at close proximity will provide such a level of distraction that it would render the Ground useless for any proper form of cricket. It should be noted that the Ground is set up such that wickets run in a north-south direction. The railway line would run right along the northern edge of the Ground, in other words directly behind the bowler. Depending upon the frequency with which the trains are to run, this is likely to cause several and serial disruptions and breaks in play. If an average of 28 trains run each hour (14 each way) this could mean a total of approximately 180-200 stoppages during the course of a regular 100 over match.

9.11 The Club plays its matches in the Cherwell League, which is a serious grade of cricket for a village the size of Twyford. Moreover, the First XI currently plays in Division 1 of that League. This is one division below the Home Counties League (in which clubs such as Oxford, Amersham, Reading, Banbury, High Wycombe and Slough) participate. The standard of cricket at this level requires that the facilities provided should be without the distraction that would result from HS2.

9.12 Therefore, without proper steps being taken to mitigate the impact of the line, the Club would be forced to look for alternative facilities.

9.13 The Club currently rents the Ground from the Parish Council under a bespoke agreement. The Parish Council is not obliged to provide any alternative facility and so the Club would have severe difficulty in finding somewhere to play matches. In short, the Club would have to look to acquire land to convert into a cricket ground. The Club estimates, conservatively, that the cost (in money terms) of doing so would be in excess of £1million. That is a cost that is far beyond the means of Twyford Cricket Club and so, in all likelihood, the Club would cease to exist. This will have a terribly adverse effect on the community – the Club being an integral and thriving part of it both for adult players and juniors (in 2014 the junior section of the club numbers some 80 plus players).

#### ***11.0 The impact of failure to define compensation [NOTE 14.1]***

11.1 Your Petitioner objects to the compensation currently omitting local betterment provisions that will replace and avoid loss of the Ground (which is also Twyford's only public

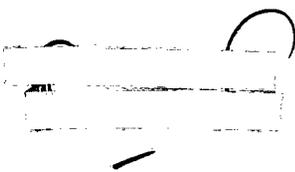
open space) should inadequate mitigation lead to the cessation of sport (see section 1 above) and by local children and parishioners generally, on this site due to excessive noise. Your Petitioner expects that the Promoter undertakes to deliver, at its expense, an alternative site of a similar, or larger area and dimensions prepared to the same standard within a reasonable distance in the parish within a timeframe that would enable activities to continue in an uninterrupted manner should this situation seem likely to manifest itself

### **12.0 Your Petitioner's Conclusions**

12.0 The Club has read the petition presented by Twyford Parish Council and it agrees and supports the conclusions set out at section 17 of that petition. The Club wishes to add to those conclusions the specific concerns raised in this petition and upon the impact of HS2 on the activities of the Club, which is such that it is likely to render the Ground unusable for any proper form of cricket thereby leading to the likely demise of the Club.

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.

Signed,



Richard Wade

Vice-Chair, Twyford Cricket Club, Bucks

For and on behalf of Twyford Cricket Club by whom I am duly authorised to sign this Petition

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