

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 MRS L CHARLES

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, 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 (“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.

7 Your Petitioner, Mrs Charles, has resided in the village of Twyford, North Buckinghamshire at Clifton Cottage, Church Street (the Property) since November 1999. She lives here in the freehold Property with her husband and three children currently aged 15, 13 and 11years. The Property is detached, of brick under tile construction and is located in a quiet no through road that leads to the village Church of the Assumption of the Blessed Virgin Mary.

Twyford village is situated in open countryside between the towns of Bicester and Buckingham. The village has very little through traffic with very low ambient noise level – in fact it is extremely quiet, especially during the evenings and at night.

The Property, Clifton Cottage, is a family home accessible from Church Street consisting of four bedrooms, two reception rooms, kitchen, small study and a detached single garage.

Your Petitioner purchased the Property specifically to bring up a young family (with a child aged one year at the time of purchase) in a village environment which was both safe and tranquil. Twyford village benefits from a primary school, community run shop, recreation ground with club house, historically significant church, URC chapel and village pub. It is a sociable village, with a strong community borne out by the fact that very few properties have come up for sale over the years. Until this Bill, the Property had a good unblighted market value which is now threatened solely due to the proposed build of the high-speed railway line.

8 Your Petitioners' 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.

9 Your Petitioner is petitioning against the Bill to design, build and operate a high speed railway line for three reasons:

- \*Increase in the levels of sound pollution
- \*Disruption caused by construction
- \*Inadequate compensation

First Petition - Increase in sound pollution

The proposed HS2 railway line will be situated close to the Property. According to the published results of the baseline sound survey carried out at a neighbouring property, St Mary's House, Church Street, in September 2012 (allocated the "noise receptor" ID 288448). Data from Appendix SV002-013 Table 1, lists the results of this survey with the daytime noise level as 50.4dB and night as 39.9dB, with the highest level of 71.9dB. Page 16, Table 3 of Volume 5, Technical appendix SV-004-013 CFA13, Calvert, Steeple Claydon, Twyford and Chetwode, operational assessment sound, noise and vibration, sets out the baseline noise levels as predicted at Opening Year and the expected impact on this part of the village as the increase in noise from the Opening Year baseline to the predicted noise at baseline plus 15 year traffic. This records a daytime increase of 4dB and a night time increase of 5dB. It is further recorded that this will have an adverse effect on the receptor. 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"

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.

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.

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 and the residents of the Property (Clifton Cottage, Twyford) from the increase in noise levels that are predicted.

The increase in noise will have a detrimental effect on the quiet and tranquil life that your Petitioner and family currently live with. Quality of life will be adversely affected for all of the residents of the Property.

#### Second Petition - Disruption caused by construction

The notable disruption that will be caused to the road network by construction traffic is of major concern. Increased vehicle activity will cause unnecessary congestion, noise, debris and pollution that will be in stark contrast to the current peaceful and clean environment within the village of Twyford and surrounding country lanes. The construction is also envisaged to be lengthy in process causing the disruption to be affecting your Petitioner and the residents of the Property for a considerable time.

Your Petitioner is also concerned about the disruption to the day to day running of family life in a rural community caused by the increased levels of construction traffic. This includes significant numbers of HGV & LGV lorry movements per day on the nearby Perry Hill road which is the main route into and out of the village of Twyford to the south east (Aylesbury Town) and the north (Buckingham Town).

Your Petitioner also notes countless other references to the village of Twyford throughout various HS2 documents which refer to the adverse impact of not only the operation of the scheme, but the period of construction with its associated noise, transport disruption, dust and light pollution, which is expected to last for ten years.

#### Third Petition – Inadequate Compensation

Your Petitioner considers that the compensation package offered to residents who are seriously affected by the proposed plans to construct a high speed rail line, but outside the 120m zone which allows for purchase by HS2, are completely inadequate.

Your Petitioner has been advised that she will not be able to sell the Property of Clifton Cottage, Twyford for anything approaching the current unblighted market value as it is so seriously blighted by the proposed HS2 project. This situation is unlikely to change until a few years after the line is opened and house prices start to recover to some degree. However, this is unlikely to be until 2029 at the earliest at which point your Petitioner will be in her 60<sup>th</sup> decade of life.

As a direct result of the Proposed Scheme your Petitioner will be unlikely to exercise any form of choice should she wish to sell the Property, Clifton Cottage, Twyford and exercise the right to move at any time during the construction and operation of the railway. Whilst your Petitioner accepts that the Government is proposing a new "Need to Sell" scheme, this appears to be appropriate to your Petitioner only if there is an urgent need to sell and not as a lifestyle choice. Your Petitioner also notes that the Rural Support Zone (RSZ) is a linear area, 120m either side of the railway line, and does not take into account sound mapping, produced by HS2, which shows the real adverse impact of scheme on residents such as your Petitioner.

Your Petitioner considers that the revised compensation scheme, as published on 9th April 2014, is completely inadequate to compensate your Petitioner and your Petitioner's family because they are so seriously affected by blight that your Petitioner would be unable to sell the Property now or in the foreseeable future.

10 Your Petitioner respectfully suggests that the following remedies are implemented to alleviate the proposed high levels of noise, construction disruption and subsequent blight as follows. These measures taken as a package would improve the outcome for the Property from the proposed Bill.

- Move the line further away from the village of Twyford to the north. There is sufficient open farm land to allow such a diversion of the proposed route.
- Construction of a 'green tunnel' as the railway passes the village of Twyford, as an alternative to the proposed bund (which appears to offer little mitigation as currently proposed)
- Bring forward the timetable for the planting of any trees for screening (as included in the proposed scheme) so as to improve the chances of more effective noise and visual mitigation.
- 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.
- Increase the height of the bund to above the pantograph level. Although this will inevitably reduce the overall noise levels, Your Petitioner notes that the level of the bund is not stated in the Environment Statement but it is assumed to be the same level as the sound wall at five metres above track level.
- 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.
- Purchase your Petitioner's Property at the full unblighted value should your Petitioner be unable to sell the Property at full market value.
- Offer a Property Bond which covers any shortfall between achieved sale price and unblighted market value. The residents of Twyford attended a meeting in September 2010 with the then Secretary of State for Transport, Philip Hammond, who told them that the affected residents would be fairly compensated. He further repeated this statement in Parliament. Your Petitioner and other seriously affected Property owners in Twyford, are

unable to sell their properties for anything approaching their true value due to the blight caused by the contents of the Bill. The Government should offer a Property Bond to all seriously affected residents. The Property Bond should guarantee that when they choose to sell, the resident will be compensated for any loss of sale income against unblighted value.

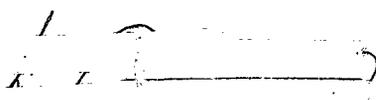
With regard to the Compensation Scheme announced on the 9th April 2014, the amount proposed for house owners situated between 120m and 300m from the track doesn't even begin to compensate the seriously affected home owners for their loss of value and inability to sell a Property.

- 11 Very high noise levels from the operation of HS2 are predicted for the residential properties in Twyford after the mitigation currently proposed by the Promoter. The Promoter or the Nominated Undertaker should, at a very early stage, seek to agree a specification for further, more effective mitigation against the noise impacts. The properties in Twyford are predicted to experience in-combination effects of significant visual and noise effects which, it is stated in the Environmental Statement, would have a major adverse effect. Current proposed mitigation of earthworks and noise barriers are not sufficient. The Promoter should undertake further mitigation in the form of increasing the height of the bund to above the pantograph level to reduce the overall noise levels (as mentioned in point 10). This would be consistent with numerous Government statements of intent to minimize impact on communities and the environment. Your Petitioner proposes to your honourable House that the Promoter should be required to undertake that it will seek to agree with your Petitioner a suitable specification for security and prevention of sound pollution from the construction of the proposed line.
- 12 Your Petitioner has set out in the preceding paragraphs numerous harms that would befall the Property, its market value and its residents. Although these harms might be moderated to a degree by the undertakings sought herein from the promoter, they would be alleviated further by moving the proposed line further away from the village of Twyford.
- 13 For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, so far affecting your Petitioner should not be allowed to pass into law.
- 14 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and their rights, interests and Property and for which no adequate provision is made to protect your Petitioners.

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 petitioners will ever pray, &c.

Signature of Mrs L Charles



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Laura Charles