

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

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 JACQUELINE HARRIES

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.

Your Petitioner

- 7 Your Petitioner is a resident of South Heath Buckinghamshire who will be directly and specially affected by both the operation and construction of the proposed HS2 line.
- 8 Your Petitioner is the freeholder owner and occupier of Herga, Ballinger Road, South Heath, Great Missenden, Bucks. HP16 9QH. This property is in the South Heath area of Great Missenden parish, a community of over 300 homes that depends on the facilities of Great Missenden and surrounding villages/towns, and will be permanently and forever blighted by HS2. South Heath is the only village in Buckinghamshire singled out as suffering community wide adverse affects from the construction and operation of HS2.
- 9 Your Petitioner's home is within a close vicinity of the line of HS2. Although the line will be in the cut and cover "green" tunnel at this point your Petitioner's home will be close to the north portal and within the Zone of Theoretical Visibility of HS2 for construction and operation, as set out in the Environmental Statement (ES). There will also be construction works lasting up to 8 years in the immediate environs of your Petitioner's home.
- 10 South Heath backs onto the trace of HS2 and as the Environmental Statement admits will be exposed to the noise, vibration and dust from the construction of the South Heath Green Tunnel. Huge spoil heaps will be nearby. The trace here will be used for construction and by construction traffic for some 4 yrs. Excess spoil will also be transported along the trace to Hunts Green. Your Petitioner uses Frith Hill (South Heath Leg) for accessing Great Missenden several times a day, as it is the direct route. Frith Hill will be entirely closed for 2 years and used by unsuitable heavy construction traffic when it is open. The alternative route via Kings Lane and the B485 will be heavily congested, as they are also construction traffic routes. Other local access roads such as Potter Row and Leather Lane will also be construction traffic routes or in the case of Leather Lane, closed. Other alternatives will be congested as they are also construction routes or will carry excessive traffic from those seeking a way round the congested direct routes. This will isolate the Petitioner's home from Great Missenden, the A413 and Chesham, and make daily life very difficult.
- 11 Your Petitioner is retired and does not enjoy good health so will in all probability need to sell her property before HS2 is operational.

Your Petitioner's Concerns

- 12 Your Petitioner is concerned about the long-term damage and permanent injury from visual and acoustic impacts in the South Heath area, due to the construction and operation of HS2.
- 13 Your Petitioner is concerned that HS2 will give rise to an enormous impact on the quality of life of those in its vicinity. Such matters were not even included in the ES, as the 'Health Impact Assessment' was not part of the ES and not included in the consultation.
- 14 Your petitioner is concerned about the property blight effects on the value of her home, with over 2,500 homes within 1km of the line in the section of the AONB that is not in a bored tunnel. Your Petitioner's home is now permanently blighted and has been since 2010. The blight impacts on the value of her home and her ability to sell. It is causing your Petitioner great anxiety and stress, and the compensation arrangements are wholly inadequate in addressing the problems.

- 15 Your Petitioner is also seriously concerned about the impacts of construction. The resultant dust, noise, hours of work, vibration, traffic movements, congestion and access problems and other implications of the long period of construction will make the Petitioner's life challenging. Your Petitioner will continue to need to use the narrow lanes and roads which will cross and be affected by the construction of the proposed line particularly for access to Great Missenden and Wendover and Chesham. This will render problematic trips for shopping, recreation, medical services and rail access. The local Accident and Emergency Department is at Stoke Mandeville, beyond Wendover along the A413. Your Petitioner will continue to need to gain access to the A 413 for London and all other areas. Your Petitioner is concerned about proposals to use the local narrow country lanes for construction vehicles and the effects of construction traffic using the A413 and B485.
- 16 Your Petitioner is gravely concerned about the inadequacy of measures proposed to mitigate the effects of construction traffic and the intended diversions and road closures and that this will place a further burden on the roads in this community, which are already under pressure. There will be a consequent effect on the businesses of Great Missenden and Chesham in particular that will suffer from loss of custom, due to difficulties of access.
- 17 Your Petitioner is gravely concerned about the effects on road safety in South Heath of construction traffic and the risk it poses to vulnerable users (pedestrians, children, cyclists, equestrians and the elderly).
- 18 Your Petitioner is concerned about the effects of noise and vibration, and dust, dirt and air quality and the severe disruption to traffic arising from the construction of the high speed railway and associated development including heavy lorry traffic.
- 19 Your Petitioner is concerned that the emergency services will be unable to provide timely support due to road congestion, closures and diversions during the construction period.
- 20 Your Petitioner wishes to express concern regarding the poor provision of information supplied by the promoter, your petitioner does not have a computer or access to the internet and your petitioner has not been kept properly informed of the arrangements.

Remedies /Mitigation requested

- 21 Your petitioner requests that measures be taken and changes be made in the Bill or the Code of Construction Practice or by obtaining binding undertakings from the Promoter to address the various concerns of your Petitioner as listed above.
- 22 Your Petitioner requests that the area be protected from these effects by amending the Bill so the line passes throughout the AONB in a bored tunnel, as proposed by the Chiltern District Council or by extending the present Chiltern tunnel proposals by adopting the CRAG T2 proposals. The latter is referred to in the Environmental Statement and accepted as both feasible and environmentally preferable. Either of these options would substantially remove the adverse effects complained of in this petition and the need for the proposed remedies otherwise required.
- 23 Your Petitioner requests that, if the proposal for a full tunnel throughout the AONB is rejected, then the Proposers Chilterns bored tunnel should be extended at minimum for 4kms from Mantles Wood to Leather Lane. The South Heath Chilterns Tunnel Extension¹ (SHCTE) (referred to as the REPA tunnel in the ES at Vol 2, 2.6.18 CFA 9 but extended to Leather Lane) has acknowledged substantial environmental benefits, and for no net cost can preserve a further 4km of the AONB from adverse effects – including that part in the immediate vicinity of your Petitioner's home.

- 24 Properties in the South Heath area are significantly blighted from the prospect of HS2, and this is likely to worsen when construction is underway. To address this, the proposed 'need to sell' scheme should be amended to cover anyone wishing to sell their property if it is blighted irrespective of financial status. Furthermore, all those remaining who suffer the impacts of construction should be compensated.
- 25 Your petitioner requests that the promoter make special provision to support and help those who do not enjoy good health and are approaching older age to both help in practical terms and to provide assurances over future ability to sell property to take away the worry and uncertainty.
- 26 Your petitioner requests that medical facilities in Buckinghamshire are fully funded to pay for the additional health provisions that will be required in Buckinghamshire due to HS2.

Full Tunnel proposal

- 27 The Petitioner emphasises that the mitigation measures set out above would in large measure be unnecessary and the impacts would be otherwise effectively mitigated if the Bill were to be amended to include the provision of a full tunnel throughout the AONB.
- 28 For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, the relevant clauses so far affecting your Petitioner should not be allowed to pass into law.
- 29 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and her rights, interests and property and for which no adequate provision is made to protect your Petitioner.

YOUR PETITIONER 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 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 Petitioner will ever pray, &c.

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Signed

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HOUSE OF COMMONS
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HIGH SPEED RAIL
(LONDON-WEST MIDLANDS)
BILL

PETITION OF

JACQUELINE HARRIS
MEMBER
BALDWIN
SOUTH WEST
OFFICE
SOUTH WEST
MEMBER

AGAINST, By Counsel, &c.