

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

High Speed Rail (London – West Midlands) Bill

Against the Bill – on Merits – Praying to be heard by counsel, etc.

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION OF JOAN GASCOIGNE COXHEAD  
SHE WETH 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 Secretary Patrick 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, 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 compulsory acquisition, the extinction and exclusion of rights over land, the temporary possession and use of land, planning permission and deregulation in connection with, inter alia, heritage and environmental matters. Clauses 37 to 52 deal with railway matters, nominated and statutory undertakers, regeneration and reinstatement and further high speed rail works. Clauses 53 to 65 contain miscellaneous and general provisions.
4. The nominated undertaker (defined in the Bill and hereinafter referred to as “the nominated undertaker”) is authorised by the Bill to construct and maintain the works specified in Schedule 1 to the Bill being works for the construction of Phase One of High Speed 2 and works consequent on or incidental to such works. These works are called “the scheduled works”.

5. Your petitioner(hereinafter referred to as "the Petitioner") lives at Leyscombe, Bacombe Lane, Wendover Buckinghamshire HP22 6EQ .

She has lived in this property for 47 years. She is 94 years of age.

The Bill would authorise the construction and operation of the railway through and near Wendover. The proposed line would run within approximately 350 metres of your Petitioner's own property and would cross the said Bacombe Lane.

6. Your Petitioner and her interests are injuriously affected by the Bill, to which your Petitioner objects for reasons, amongst others, hereinafter appearing.

7. Your Petitioner's property is shown in the Zone of Theoretical Visibility in ES 3.5.1.7.2., and in maps LV-07-036, LV-08-036, LV-07-037 and LV-08-037.

8. Your Petitioner has been the recipient of letters and information in the post from HS2 Ltd, which indicate that it considers that she is affected by the Bill.

9. Objection is taken to both the construction and operation of certain of the scheduled works proposed to be undertaken in and near Wendover between Little Missenden and Stoke Mandeville.

10. Your Petitioner's main objective is to persuade your Honourable House to lower the line into a fully-bored tunnel as it passes through Wendover.

#### **Problems caused by the construction process of the scheduled works**

11. Your Petitioner is concerned that during construction of the scheduled works there would be the following effects:

12. Disruption of traffic and substantial delays along all local roads, caused by around 300 HGVs per day, especially Bacombe Lane, the A413 and the B4009, which your Petitioner uses every day, and the A41, which she uses on a regular basis. She both drives and walks is most concerned that access to the village and St Mary's Church will be considerably more difficult for her during construction.

13. Dust and dirt caused by chalk and soil from construction and excavation will lead to the deposit of the same upon the Petitioner's property and Bacombe Lane. It will affect air quality and the petitioner suffers from allergies and may suffer increased symptoms and relating distress. The deposit will require constant removal from Bacombe Lane and the ~~Petitioner's property.~~

14. Substantial damage to this part of the Chilterns Area of Outstanding Natural Beauty (AONB). The petitioner would like to remind parliament that Combe Hill is the highest point of the Chilterns and as well as serving the petitioner and other local people, attracts visitors

with its stunning views ,wild flowers only found on chalk, a varied population of birds, and immense peace. Bacombe Lane leads directly up to the ridge and onto Combe Hill and this peace and beauty ,so accessible from London, are in danger of being seriously impaired.It is part of England's heritage .There should be a fully bored tunnel to ensure this does not happen.

15. Substantial damage to St Mary's Church. St Mary's is a centre of village life both spiritually and through musical and other cultural events that the petitioner attends. Her access will be more difficult and the peace of the place will be destroyed by the noise and vibration of construction for a number of years, and later by the trains passing every 2 minutes and when they enter the short tunnel.

16. Noise during construction will be constant and invasive seriously affecting use of the petitioner's tranquil garden.

17.Disruption visually and from noise will affect use of footpaths. Your Petitioner uses these on a regular basis specifically the one into Wendover from Bacombe Lane and the one between Bacombe Lane properties 6 and 7,leading towards Dunsmore.

19. Intrusion of light from the construction area will affect the fantastic night skies. It may affect wildlife, especially the protected long-eared bats.

#### **Problems caused by the operation of HS2**

20. Your Petitioner avers that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects:

21. Your Petitioner's view of the Chiltern Hills in the AONB would be permanently scarred by the obtrusive viaduct and embankment 14 metres (just under 46 feet) above ground level with pantographs a further 8.5 metres (just under 28feet) high, giving an overall height of 22.5 metres (just under 74 feet). The line would be visible from numerous viewpoints in the locality including her own property which is within the Zone of Theoretical Visibility. It would be overbearing and dominant in the landscape.

22. Your Petitioner's view of the Chiltern Hills would also be permanently damaged by trains up to 400 metres long passing every two minutes.

23. Your Petitioner's view of the Chiltern Hills would also be permanently damaged by re sited electricity pylons.

24. The noise from these trains would cause an intolerable strain upon your Petitioner's life .

25. The value of your Petitioner's house has already been adversely affected, and will continue to be so on a permanent basis. At present it is not possible to sell any property in Bacombe Lane. The petitioner does not want to leave her house and is concerned also that not only will its value be diminished for her heirs but that they may not be able to sell it to pay the inheritance tax.

26. The damage to local facilities (including St Mary's Church) would be substantial, including disruption to access, air pollution, noise pollutions during years of construction and intolerable levels of noise when the trains are running. The Petitioner has known the village of Wendover since 1946 and is concerned that without the fully-bored tunnel the unique nature of Wendover and its environs will be irrevocably altered.

#### **The benefits of a fully-bored tunnel**

27. Your Petitioner proposes that part of the scheduled works be replaced by a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover. This would avoid most of the disadvantages set out in paragraphs 11-19 above and all the disadvantages set out in paragraphs 20-26 above.

28. Chiltern Ridges Action Group has proposed such a fully-bored tunnel in a report by Peter Brett Associates, and HS2 Ltd has confirmed that from an engineering and construction point of view it is feasible.

29. HS2 Ltd has said that such a tunnel would cost £330 million more than the present proposal. However, it has refused to divulge any detail of this figure, or even the tender documents on which it was based, and there is considerable evidence that the figure is seriously exaggerated.

30. Moreover, it seems that HS2 Ltd has not taken into account the value of the benefits which a fully-bored tunnel would bring, such as the money saved by not having to compulsorily purchase properties and land, or move electricity pylons, and not damaging the environment. These benefits are valued at over £500 million.

31. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended by the inclusion of a fully-bored tunnel from Little Missenden to the end of the AONB to the north of Wendover, then the Bill should not be allowed to pass into law.

#### **Mitigation for construction of a fully-bored tunnel**

32. If a fully-bored tunnel is included in the Bill, your Petitioner proposes that at least the following mitigation be adopted for its construction:

33. That the operation of construction traffic on the A413 and the B4009 only be permitted during the agreed working hours, excluding rush hour (7-9am and 5-7pm) on weekdays.

34. That the number of construction vehicles using local roads be limited, and at all times be such as not to inconvenience other road users.

35. That the removed spoil should not be permitted to be dumped in the Chilterns AONB, and that all spoil should be removed by rail, not road.

36. That a traffic management plan be agreed before construction starts with the local county, district and parish councils, such plan to go to arbitration if agreement cannot be reached..

37. That the permitted working hours for all matters relating to construction be strictly limited to 8am to 6pm on weekdays, 8am to 1pm on Saturdays and not at all on Sundays, with an hour before and after for start-up and close down.

38. That acceptable noise levels be agreed before construction starts with the local county, district and parish councils, such noise levels to go to arbitration if agreement cannot be reached.

39. That noise levels be monitored on a frequent and regular basis by an independent organisation, with the result of such monitoring be immediately made public.

40. That artificial lighting at construction areas be limited to working hours.

41. That the maximum level of toxic traffic emissions from construction traffic be agreed before construction starts with the local county, district and parish councils, such emission level to go to arbitration if agreement cannot be reached.

42. That funding be made available to Wendover Health Centre and local hospitals for the provision of any necessary additional facilities to cope with increased health problems, such as sleep disturbance, respiratory illness and hypertension, and including those caused by traffic emissions and dust created by the construction of the scheduled works.

43. That funding be made available to the local police force for increased staffing likely to be required due to the advent of a substantial construction workforce.

44. That full compensation for damage to property or loss in property value caused by construction of the scheduled works be available to all those who suffer such loss.

45. ~~That the maintenance loop at present proposed to be located to the north of Wendover~~ be moved to an area where there are much larger permanent works scheduled.

46. That the Code of Construction Practice, and regulations and agreements dealing with all the above matters in paragraphs 33 to 43, be legally enforceable both at criminal and civil

law, with civil law breaches being first dealt with by an Ombudsman, and the local county council having the right to bring both criminal and civil proceedings.

**Mitigation for construction of the present proposal**

47. However, if the proposal for a fully-bored tunnel is rejected your Petitioner proposes the following mitigation:-

48. That the existing proposed green tunnel be extended to the south and north of Wendover.

49. That the mitigation proposed in paragraphs 33 to 46 above be adopted.

YOUR PETITIONER in the premises therefore prays your Honourable House that the Bill may not be allowed to pass into law as it now stands and that he may be heard by Counsel, Agent and witnesses in support of the allegations of this Petition against such of the clauses and provisions of the Bill as affect the rights and interests of your Petitioner and in support of such other clauses, amendments or provisions as may be necessary or expedient for his protection, or that such other relief may be given to your Petitioner as your Honourable House may deem meet.

Signed

BACKSHEET:

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2005-6

CROSSRAIL BILL  
Against the Bill – On Merits – By Counsel &c  
CONTACT DETAILS

Joan Coxhead