IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS)

PETITION

Against the Bill – Praying to be heard by council, & c.

TO THE HONOURABLE THE COMMONS OF UNITED KINGDOM OF GREAT BRITAIN AND

NORTHERN IRELAND IN ASSEMBLED.

THE HUMBLE PETITION OF UFTON PARISH COUNCIL

SHEWETH as follows :

1. A Bill (hereinafter called “the Bill”) has been introduced into and 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 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 Ian Duncan Smith, Secretary Eric Pickles, Secretary

Owen Paterson, Secretary Edward Davey and Mr Robert Goodwill.

3. Clauses 1 – 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 part walls, street works and the use of lorries.

4. Clauses 37 – 42 of the Bill deal with the regulatory regime for the railway.

5. Clauses 43 – 65 of the Bill set out a number of miscellaneous and general provisions,

 Including provision for the appointment of a nomiinated 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 of works and provision about further

High speed railway works. Provision is also made about application of Environmental

Impact Assessment Regulations.

6. The works proposed to be authorised by the Bill (“Phase 1 of HS2”) 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 the Schedules 2 and 3 to the Bill.

7. Your Petitioners are Ufton Parish Council in the district of Stratford-on-Avon and have

 been invested by Parliament with a number of important powers and duties in relation

 to the interests of the inhabitants of this area. Amongst other functions of your

Petitioners is that of local planning issues in respect of most types of development, and

your Petitioners have a duty to investigate the existence of, and to control nuisances

within their area.

8. The Bill would authorise the compulsory acquisition of certain interests in land or

 property of your Petitioners and in accordance with the standing orders of your

 Honourable House, notice has been served on your Petitioners of the intention to seek

 such compulsory powers.

9. Your Petitioners oppose the Bill in principle, Whilst your Petitioners acknowledge that

 the principle of the Bill is established at the second reading, your Petitioners views on

 the subject must be recorded in this petition.

10. Your Petitioners allege that they and their property, rights and interests in their Parish

and the inhabitants thereof would be injuriously and prejudicially affected by the

provision of the Bill if passed into law in their present form and they accordingly object

to the Bill for the reasons, amongst others, hereafter appearing.

**Introductory**

11. The parish of Ufton is in close proximity (1 km) from the proposed route of the railway

line and will be affected to varying degrees by the construction of the line, whilst at

the same time Ufton will not gain any direct benefits from the railway. The Petitioners submit that it is entirely reasonable to expect the Promoters and the Nominated

Undertaker to provide mitigation over and above that which is currently being

proposed, and also to provide compensation to the community by the provision of additional infrastructure, facilities and funding which will benefit them as a whole. In

the following paragraphs, your Petitioners set out a range of expectations in that

regard and require that the Promoters should consider further suggestions provided

by your Petitioners.

12. **Ufton**

13. **Public Rights of Way**

Your Petitioners refer to the path (“CFA 16 Green Lane / The Ridgeway - part of the Centenary Way”) and seek an Undertaking that the Promoters will ensure that it is protected from all construction traffic to ensure safety at all times to stop

pedestrians being able to stray into the road way.

14. Your Petitioners seek an Undertaking that the Promoters will upon completion of

 the construction phase re-instate the path to its original condition and line.

 **Community**

15. Your Petitioners aver that the statement in section 5.4.24 of volume 2 CFA 16 of the Promoters Phase 1 Environmental Statement seriously underestimates the impacts

upon Ufton. This states

 *“The A425 which runs through the centre of the village has been identified as a*

*construction traffic route for the Proposed Scheme. It is claimed in Section 12 that this*

*will not substantially increase daily flows of traffic on this road, and no significant*

*congestion or delays are anticipated so having negligible effect”*

16. Your Petitioners further aver that the Promoters have taken a very simplistic and

inaccurate view about the impact on the community. Your Petitioners contend

that the acknowledged increase in Heavy Goods Vehicle`s to and from the cutting

head of the Long Itchington/Ufton Wood Tunnel will have a detrimental effect on

the village and require assurances that measures will be incorporated within the Bill,

that all construction traffic will adhere to the Speed Limits and to ensure that

villagers are able to cross the A425 safely, a temporary Pelican Crossing should be

installed during the construction period.

17. The Environmental Statement explains that *“Approximately 56,000 people worked in the Stratford-on-Avon District area in 2011, with 3,100 working in Southam DCA.”* A

proportion of this population lives in Ufton and, given the limited employment

opportunities within the village, by necessity the majority of working population have to travel for employment.

Your Petitioners aver, the impact of the construction of the railway on the roads network

and the effect on journey times on the community has not been recognised by the

Promoters.

**Traffic and Transport**

18. Your Petitioner aver that the assessment of the Promoter as stated in section 12.4.16

of the Volume 2 CFA 16 of the Promoters Phase 1 Environmental Statement that construction will result in “minimal increase in traffic movements” within Ufton is

totally inaccurate and misleading.

19. Your Petitioners aver that with the Promoter using (“Green Lane / The Ridgeway” )

 as an access road to the Long Itchington Wood Tunnel Entrance site and the A425

forming one of the main lorry routes to / from the proposed line, along with

construction traffic using this access road to the Promoters proposed construction compound. This will significantly increase the traffic / transport volumes in the

immediate area of Ufton.

20. Your Petitioners aver that the Promoter proposes that “construction traffic will

travel South towards the Fosse Way, to enable traffic to gain access to the A425

HGV`s will have to travel into Ufton, circle around the island to travel South. This

your Petitioners aver would add further disruption to an already dangerous junction

and is not acceptable and contrary to Warwickshire County Council`s Transport Policy

21. As a result of the this, your Petitioner avers that there will be significant increase

in the volume of non-construction traffic using the minor road through the village.

This road is already used as a “rat run” and is totally unsuitable for diverting traffic

being , narrow, with multiple driveways, field entrances, entrance to Nature Reserve,

with parked vehicles and pedestrians including children using it. Any increase in traffic

would result in safety issues, noise emissions, congestion and disruption. There is

also a serious risk to the older properties from vibration damage. So making a

dangerous junction.

22. Your Petitioners aver that the Promoter and Nominated Undertaker provide signage

 within the village to ensure “Construction Traffic” does not use the village side roads

 i.e. “Access to village Only, speed humps and appropriate Weight Limits etc.” and

enter into a “Traffic Management Plan” which should be agreed with Warwickshire

County Council and Ufton Parish Council along with independent monitoring by the

Promoters.

 **Noise and Vibration**

23. This section of the railway runs through what is a predominately rural area and will generate

` substantial noise and vibration and have a considerable impact on the area during the

construction period.

24. Your Petitioners aver that it is fair and reasonable for the community of Ufton to

expect the highest possible levels of mitigation against these impacts. It is noted

that taller screening is proposed along the edge of the construction site by Wood

Farm, but the definitions of the height and nature of the Noise Barriers is not

determinable from the Environmental Statement.

25. Your Petitioners aver that the Noise Barriers proposed by the Promoters should be of

the highest technical quality and conform to and in line with European Union and Environmental Health Legislation and certified by specialist environmental engineers

prior to any construction work commencing.

**Wood Farm Construction Compound**

26. The Environmental Statement (Vol 21 Map Books – CFA 16CT-05.087 and CFA 17-

LV03.0696) Shows a *Secondary Construction Access Route* being constructed to serve

the proposed construction camp for the Long Itchington / Ufton Woods Tunnel. This follows the line of The Ridgeway / Green Lane for a short distance before following the

line of the access road to Wood Farm and then deviating to follow the contours of the

hill.

27. Your Petitioners aver that it would make better economic sense if the *“Secondary*

*Access Route”* followed the line of the D road stated as the Ridgeway/Green Lane until

 it reached grid position B-g on the map CT-05-087 and then turned right up to the

proposed compound. This would have the following advantages :-

(a) Less Grade A farmland would be required for new access road

(b) Once the access road has been constructed it can be left in place upon

completion of the construction of the railway, so eliminating any expenditure

to the Promoters in removing it.

(c) A further benefit is, it would allow easier access for Ramblers to The Ridgeway/Green Lane, whilst at the same time reduce the damage caused

By unauthorised motor vehicles.

**Part 2 Generic Issues**

**General**

28. Your Petitioners aver that Schedule 1 section 1 subsection 2 (c ) which allows the

 Nominated Undertaker to “deviate – (c ) Vertically upwards to any extent not

 exceeding 3 metres from the level shown for that work on the deposited sections, but

 doing so in a case mentioned in sub-paragraph )1)(c ) does not increase the limit

 referred to in that sub-paragraph” creates a potential `loophole` that could allow the

Nominated Undertaker to create additional nuisance and blight above and beyond

That contemplated in the Environmental Statement. Your Petitioners are concerned

that sub-paragraph (1)(c) refers only to stations, depots and shafts. In rural areas

where no such structure (s) is/are planned the line could be raised in an obtrusive

manner not conducive to the character of the local landscape and such elevation

might also give rise to additional visual and audible nuisance.

29. Your Petitioners seek an amendment to the Bill to the effect that upward deviation

 be restricted to 1 metre except where 3 metres does not increase visibility egg where

up to 3 metres elevation is in a deep cutting and where the Undertaker exercises this

power the Promoter will be required to provide both visual and audible mitigation to

the highest available standards so that the impact on communities is no greater than

that forecast in the Environmental Statement and that where the Promoter exercises

this power they will be required to provide both visual and audible mitigations to the

highest standards and commensurate with the needs of the affected communities

**General**

There are other clauses and provisions in the Bill which, if passed into law as they now stand

will prejudicially affect the rights and interests of your Petitioners and other clauses and

Provisions necessary for the protection and benefits are omitted therefrom.

 YOUR PETITIONERS THEREFORE HUMBLY PRY

 Your Honourable House that the Bill

 maybe not pass into law as it now

 stands and that they be heard by

 themselves, 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 Petitioners and in support of

such other clauses and amendments

as may be necessary and proper for

their protection and benefit.

 AND YOUR PETITIONERS will ever pray, &c

 Colin Baldwin

 Chairman of Ufton Parish Council

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