

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

AGAINST - on Merits - 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 The Rt. Hon. Frank Dobson MP

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 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.

RELEVANT CLAUSES

3. Clauses 1 to 36 set out to authorise the construction and operation of the railway described in paragraph 1 above including works on highways and road traffic matters associated with the project, together with compulsory acquisition of land and rights over and under land. They also cover the use of land, planning permission and noise regulations together with powers to vary the application of existing enactments covering burial grounds, consecrated land, open spaces, water, building regulations, street works and the use of lorries and compensation.
4. Clauses 43 to 65 provide for the appointment of a nominated undertaker to exercise the powers under the Bill and more general provisions relating to statutory undertakers, the Crown, compulsory acquisition of land for regeneration, re-instatement works, further high speed railway works and the application of Environmental Impact Assessment Regulations.

5. The works proposed to be authorised by the Bill are specified in Clauses 1 and 2 of the Bill and Schedules 1 and 2 to the Bill consisting of scheduled works described in Schedule 1 to the Bill and other works described in Clause 2 of the Bill and Schedules 2 and 3 to the Bill.

YOUR PETITIONER AND HIS INTEREST

6. Your Petitioner is the Member of Parliament for Holborn and St. Pancras constituency which includes Euston Station and its approaches and so has represented residents and businesses affected by the Bill for 35 years. Your Petitioner resides within the much wider area which will be affected by the 'knock on' effects of the proposed works, particularly the impact of the officially estimated average increase per day of over 700 heavy goods vehicles on traffic congestion, delays and additional air pollution. Your Petitioner respectfully requests that he be heard both as a private citizen but most importantly as Member of Parliament in order to convey the wider concerns of his constituents whose rights, homes, interests, property, health and livelihoods are injuriously affected by this Bill. Responding to the HS2 proposals since they were announced has specially and directly and substantially increased the scale and complexity of the workload of your Petitioner and his staff, directly impacting on his interests as the locally elected representative, and will continue to create a substantial additional workload for the Member of Parliament and adversely affect his interests over the next decade if the works authorised by the Bill go ahead.

CONCERNS

7. The neighbourhoods to both the East and West of Euston Station and its railway approaches are densely developed with a variety of uses ranging from light industrial, transport, warehousing, retail, primary, secondary and higher education, research and offices. But most of the streets are primarily residential. They are home to large numbers of residents living at high-densities in settled and varied communities with a wide range of incomes, housing tenure, jobs, ages, ethnic origins and religions. They get along pretty well and are rightly proud of their record in working together to try to maintain and improve the quality of life of themselves and their neighbours. The engineering and associated works required to expand and redevelop Euston Station as the London Terminus for HS2 will wreak havoc on them and their surroundings. The scheme will subject the area, its residents and businesses to ten years or more of blight, disruption, noise, vibration, filth, air pollution, road works, road closures and additional traffic, especially heavy-goods traffic. HS2 Ltd. describe many of these impacts as temporary but in many cases the disruption will exceed the length of a child's school career or the lifetime of elderly residents.

8. Ministers and the Chair of HS2 Ltd. have stated that the design for Euston Station proposed in the Bill, known as Option 8, should be abandoned and replaced by a more extensive scheme which they intend to publish in Autumn 2014. Your Petitioner urges your Honourable House to insist that any such new proposals are subject to all the consultation and petitioning procedures applied to the contents of the Bill, before considering such changes.
9. Ministers and the Chair of HS2 Ltd. have secured the withdrawal from the Bill of the proposals for a link from HS2 at Old Oak Common to HS1 at St. Pancras above ground on the route of the North London Line. Your Petitioner urges your Honourable House to require HS2 Ltd. to clarify whether any of the construction work, construction compounds, diversion of utilities and routes for heavy goods traffic included in that aspect of the Bill are intended to be used to facilitate the main HS2 works and to guarantee to publicise any such retained features entitling residents and businesses to comment and submit petitions.
10. Local people are concerned about the ultimate long term effects on their lives of the operation of the proposed railway. But their immediate concerns are about the blight, disruption, noise, vibration, dust, air pollution and traffic problems which they will suffer for more than a decade during the construction of the railway. They are also concerned about the cumulative impact of the combined nuisances listed above and the fact that they come on top of the existing high levels of noise, air pollution and traffic congestion. Your Petitioner therefore requests that your Honourable House require HS2 Ltd. before any works commence to collect, analyse and publish data in collaboration with Camden Council as a 'Domesday Book' on existing conditions in the area based on nationally agreed standards covering the state of health of residents, noise levels, dust levels, vibration, air pollution, traffic speeds, traffic congestion, traffic accidents, cycling and pedestrian injuries, the response times of ambulance, fire and police services, school performance, the footfall in local shops, cafes and restaurants and the number and nature of jobs in the area. This information should be updated quarterly or annually as appropriate and used to establish trigger levels which would require remedial action if exceeded. Where any figures in the initial surveys exceed current law or national averages, HS2 Ltd. should be required to prepare practical proposals to bring such data in line with the law or national averages.
11. Currently HS2 Ltd. propose to remove rubble and other material from the construction site and construction material to the site and between the site and the 12 construction compounds by road. This is calculated by them to result in an average of 740 vehicle movements per day, of which over 700 will be by HGV vehicles with all the consequent noise and air pollution and traffic problems. Your Petitioner urges your Honourable House to require HS2 Ltd. to service the scheme by rail for at least 50 per cent by weight of both outgoing and incoming loads. HS2 Ltd. should also be required to organise all servicing by road from 'concentration centres' to avoid vehicles running to and from Euston without a full load. Low emission standards should be required of all road vehicles serving the scheme. Where mitigation measures to reduce road vehicle impact are agreed, any breaches should result in substantial financial penalties paid into a local community or amenity fund (see para. 27).

12. Current proposals envisage the construction programme being served by 2 major construction compounds and no fewer than 10 subsidiary compounds. Your Petitioner is concerned that this number reflects the overwhelming priority being given to the convenience of contractors with little consideration of the impact on residents and businesses affected. Your Petitioner urges your Honourable House to require HS2 Ltd. to secure a substantial reduction in the number of compounds and to abandon proposals for compounds on play areas, games areas or green spaces.
13. The blight, disruption, noise, vibration, dust and air pollution will not be confined to the immediate vicinity of the station site. Massive roadworks in surrounding streets will be required to facilitate the diversion of major utilities including water, sewage, gas and electricity. Other streets have been designated as major routes for vehicles servicing the main construction site, the two main construction compounds and however many subsidiary compounds are eventually agreed. Your Petitioner urges your Honourable House to require HS2 Ltd. to give greater priority than so far to the interests of local people and businesses rather than every priority being given to the convenience of those carrying out the project.
14. The current proposals for limiting working hours on the site would enable work to proceed any hours day or night, if needed for reasons of safety or to keep the existing railway services in Euston in operation. Your Petitioner urges your Honourable House to require rulings by an independent adjudicator appointed for such purpose before contractors can exercise such discretionary working based on operational need.
15. HS2 Ltd. propose a 'parkway station' at Old Oak Common which is on the route of the Heathrow Express and will be on Crossrail because Euston Station is on neither. They assert that many passengers will get off at Old Oak Common to travel onward by Crossrail rather than come into Euston. None of the estimates on which the proposals for Euston are based are drawn from experience. Such 'estimates' can be very wrong as demonstrated by the massive overestimate of passenger demand for the Channel Tunnel link from nearby St. Pancras. Your Petitioner therefore requests your Honourable House to require HS2 Ltd., not to abandon Euston as the terminus, but to operate a pilot scheme based on Old Oak Common initially as a temporary terminus and re-assess the scale of any facilities required at Euston in the light of the resulting experience.
16. HS2 Ltd. recognise that Euston scarcely has the capacity to cope with passenger numbers presently using the station and propose improvements in the layout and connections for tubes and buses. However even with these they acknowledge that if HS2 is to fulfil their expectations it will be necessary to build Crossrail 2 on a North/South axis to cope adequately with HS2 passengers. Your Petitioner earnestly urges your Honourable House to require HS2 Ltd., National Rail and Transport for London to put before you detailed design proposals for Crossrail 2 before you complete your consideration of the impact of the Bill on Euston. Your Petitioner considers that it would not be proper to proceed with the works set out in the Bill until the funding of Crossrail 2, an integral part of the HS2 project, has been properly considered and included in the estimates of the HS2 scheme.

17. The withdrawal of the link proposals referred to in para. 9 above has created uncertainty as to how best to provide in the long term a link enabling trains from north of London to have high speed access to the Channel Tunnel and, separately, how best to provide a link for passengers from Euston to St. Pancras International. Your Petitioner requests your Honourable House to require HS2 Ltd. to come forward with plans for such a passenger link as soon as possible and without any harmful effects on local residents, homes, businesses or schools, the Crick Institute or the British Library. HS2 Ltd. should also give serious consideration to a tunnelled train link from HS2 at Old Oak Common to Stratford International.
18. The compensation proposed in the Bill for those whose land is to be acquired and those who will be exposed and adversely affected by the works even though their land is not acquired is completely inadequate. It discriminates harshly against residents in Holborn and St. Pancras compared with those in rural areas. Some people in rural areas living 120 metres or more from the works would be compensated, while people in Euston living within less than 130 inches of the works would not. The compensation scheme is the outcome of a process which Sir Keir Starmer QC had advised is unlawful. Your Petitioner requests your Honourable House to amend the Bill to give equal priority of treatment to residents and businesses in Holborn and St. Pancras.
19. Amongst those who will receive no compensation are a number of small, locally owned and locally staffed businesses, especially cafes, shops and restaurants in Drummond Street. They face financial disaster because between 40 and 70 per cent of their business is passing trade from pedestrians going to and from Euston Station. For the duration of the works, walking to and from Euston past these businesses will be made impossible because Drummond Street will be turned into a dead-end by a solid 3.6 metre high fence round the construction site. Your Petitioner urges your Honourable House to amend the Bill to provide full compensation to these and other businesses for losses incurred.
20. Open space and play facilities in the area around Euston are scarce. Under the Bill's proposals all will be affected by the construction works, most being taken over by contractors. Your Petitioner urges your Honourable House to require HS2 Ltd. to avoid such use or to fund alternative facilities for the duration of the works. They should also be required to ensure that on completion of the works replacement open spaces and playgrounds should be designed to provide the same quiet, locally orientated secure facilities that the project will destroy and not just incorporated in station 'vistas'.
21. Following the decision to abandon the Option 8 design for Euston, local people have been told that work is now being carried out in preparing alternative designs. Your Petitioner urges that your Honourable House require HS2 Ltd. to give serious consideration, which they have previously failed to do, to any new station being built entirely within the footprint of the existing station. The 75 metre landgrab to the west is the major threat to the neighbourhood and involves the demolition of the homes of more than 500 people. They should also be required to ensure that the arrangements for buses, taxis and private vehicles using the station should have minimal impact on local residents and businesses.

22. Most of the residents of the homes which will be demolished are tenants of Camden Council and have been given public commitments about their rehousing which HS2 Ltd. should be required by law to honour. However, the compensation paid to leaseholders who exercised their 'right to buy' will not fund their purchase of a comparable home in the area, particularly as this is in competition with 'buy to let' purchasers with cash in hand. Private tenants will be entitled to no compensation. Your Petitioner urges your Honourable House to secure such compensation and mitigation measures for all displaced residents as will enable them to find and fund alternative homes in the neighbourhood if that is what they want.
23. The demolition of the homes which are threatened will expose others which remain to the disruption, noise, dust and pollution from the wreckers' activities and, like all other residents adjacent to the site, expose them to a further decade of disruption. Your Petitioner urges your Honourable House to require HS2 Ltd. to guarantee appropriate rehousing, effective mitigation measures and full compensation to all these residents.
24. Your Petitioner is particularly concerned about the impact of the proposals in the Bill on the education and development of children living in the area and the schools they attend. In particular the Starcross Street site of Maria Fidelis Catholic Secondary School is immediately next to the proposed extension of the station. Not only would this directly expose the pupils and staff to the disruption, noise, dust, vibration and air pollution from the scheme, it will actually be necessary to excavate in the school yard. The school currently functions on two separate sites and a development uniting them both adjacent to the other site in Somers Town would be possible. However a commitment to fund this development and to complete the necessary works must be forthcoming before work commences on the station. Your Petitioner urges your Honourable House to include such a requirement in the Bill.
25. HS2 Ltd. themselves accept that over 3,000 jobs in the Euston area may be lost or displaced as a result of the project. Your Petitioner urges your Honourable House to require HS2 Ltd. to take measures to help local employers to stay in business, local people to find jobs and to maximise the number of local people working on the project by providing training opportunities and targeted recruitment.
26. From when the issue was first raised, both Ministers and HS2 Ltd. have guaranteed that decisions about non-rail development above the operational station will be subject to the planning powers of the London Borough of Camden. Local people want the majority of such development to be devoted to housing which existing local people can afford to rent and to provide premises for use by businesses promoting the application, development and exploitation of innovations in biosciences emanating from local institutions such as the Crick Institute. Your Petitioner urges your Honourable House to include such guarantees in the Bill.

27. For four years already local residents, businesses and Camden Council have been required, through no fault of their own, to devote time and resources to responding to the ever-changing flakey proposals from HS2 Ltd. and to seeking to protect their entirely legitimate interests. This is likely to continue or possibly increase in the years to come so that your Petitioner urges the reimbursement by HS2 Ltd. of all expenses reasonably incurred by Camden Council, local businesses and voluntary organisations and individuals together with a Community Fund, administered locally, to finance measures to protect and improve conditions for people living or working in the area. This could be funded in part from financial penalties levied when contractors breach binding undertakings given to protect local people.

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 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 the people he represents 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, etc.



**IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-2014**

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