

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – 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 THE BELSIZE RESIDENTS ASSOCIATION

SHEWETH as follows:

1. A Bill (hereinafter called “the Bill”) has been introduced into 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, 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 open spaces, and other matters, including street works and the use of lorries.

4. The works proposed to be authorised by the Bill 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 and Schedules 2 and 3 to the Bill. Schedule 4 makes provision for highway access, granting general powers to the nominated undertaker in relation to the form and lay out of means of access, and changes to existing means of access, at any place within the Bill limits.
5. Your Petitioners are the Belsize Residents Association (“the Association”) which is an association of residents in the electoral wards of Belsize, Frognal and Fitzjohns, Hampstead Town, Gospel Oak, Haverstock, Camden Town with Primrose Hill (“Belsize”) within the London Borough of Camden. The purposes of the Association are inter alia to advise and support members of the Association collectively in the promotion and protection of their concerns in the area; to advise and support Belsize residents collectively in the promotion and protection of their interests; and to act to maintain, defend and improve public services within Belsize. The interests of members and residents are taken to include: public services and amenities; planning, development and conservation; public transport, traffic and parking. By its Constitution, the Association will not align itself with any political party. The Association has existed since the 1970s.
6. Membership of the Association is open to all residents of Belsize who accept the Constitution of the Association and pay an annual subscription at a rate determined from time to time by the Annual General Meeting. The Association has estimated that, as at 10 May 2014, there are 534 paying households.
7. The Association has estimated that, as at 10 May 2014, there are 73 member households in Eton Avenue, Adamson Road, Crossfield Road, Fellows Road, Merton Rise, Winchester Road, Strathray Gardens, Haverstock Hill, Steeles Road, Steeles Mews, Adelaide Road and King Henry’s Road which are roads within Belsize in which, or adjacent or proximate to which, the construction of works, highways and road traffic matters, and other provisions relating to the use of land, planning permission, heritage issues, trees, noise and open spaces will be permitted by the Bill (“the Roads”). Other members of the Association live in roads

that are adjacent or proximate to the Roads, and do or may generally use the amenities of the Roads.

Ecology

8. Your Petitioners have serious concerns about the ecological effects of the proposed Adelaide Road ventilation shaft. The proposed shaft would be adjacent to the Adelaide Road Nature Reserve, which is a valued source of wildlife in a densely urban area. Your Petitioners object to the loss of 2/3 hectare of woodland that is the habitat of bats, breeding and wintering birds and invertebrates in Belsize.
9. Your Petitioners propose, if the Adelaide Road Nature Reserve is to be affected, that like for like open space should be created in Belsize consistent with environmental objectives, and that the Secretary of State should be empowered in the Bill to enforce such objectives.
10. Your Petitioners understand the need to suspend various enactments for the purposes of such a major scheme, but are seriously concerned about the loss of trees in Belsize which are a much-valued amenity in a densely urban area and would otherwise be protected by legislation. Your Petitioners humbly request that funding is secured for ecological improvements, including replacement of trees, in Belsize.

The life of the community

11. Your Petitioners are seriously concerned that the construction of the Adelaide Road shaft will cause major disruption to residents, businesses and visitors to Belsize in terms of noise, access and other effects of prolonged construction works. The main construction compound is estimated to generate typically more than one hundred daily two-way vehicle movements, so that your Petitioners fear a level of traffic inconsistent with a residential area in terms of pollution, noise and congestion. Your Petitioners fear that the disruption to local businesses will harm the local economy.
12. Your Petitioners humbly request that the highway authority be permitted to object to the opening by the nominated undertaker of an access on to, or the alteration of, a highway used

by vehicular traffic on the ground that the nominated undertaker has failed to satisfy the highway authority that such an opening is reasonably necessary for construction works and/or has failed to consider all reasonable alternative options including alternative, non-vehicular modes of transport.

13. Your Petitioners recognise the complexity of the works authorised by the Bill, including in Belsize, but humbly request that the nominated undertaker be under a duty to make all reasonable efforts to promulgate such information at such times as will enable local residents to know and understand the impact of the works on them. The information ought to be made available in machine-readable, open format such that it may be re-communicated by other individuals and organisations. The nominated undertaker should be under a duty to promulgate the information in plain English and in a manner enabling local residents to find out about their particular locality easily and quickly.

Respecting heritage

14. Your Petitioners would also ask that the nominated undertaker be required to hold a public competition for the creation of a bespoke design for the Adelaide Road vent shaft that must satisfy both ecological and heritage criteria, given its location beside a nature reserve and conservation area in which the Association's members, and the residents of Belsize generally, take great pride. A competition would ensure that the shaft is constructed according to the highest quality of design.
15. Belsize has traditionally been the home of some of the UK's premier architects and designers. The rules of any competition could involve the local community either in offering designs or in judging the most appropriate design.
16. Your Petitioners and their interests and property are injuriously and prejudicially affected by the provisions of the Bill if passed into law in their present form and they accordingly object to the Bill for reasons amongst others, hereinafter appearing.

17. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, should not be allowed to pass into law.

18. 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 for which no adequate provision is made to protect your Petitioner.

YOUR PETITIONERS 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 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 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.

NAME: PRABHAT VAZE

CHAIRMAN AND AUTHORISED OFFICER
BELSIZE RESIDENTS ASSOCIATION