To the House of Lords

Session 2015–16

PETITION against the

**High Speed Rail (London – West Midlands) Bill**

**THE PETITION OF STOP HS2.**

Declares that:

1. The petitioners are specially and directly adversely affected by the whole Bill

# Your Petitioners

1. Your Petitioners are the Stop HS2 campaign group, hereinafter referred to as Your Petitioners. The individuals who formed Stop HS2 became aware of HS2 in March 2010 and considered themselves directly affected by HS2. Stop HS2 was formed in June 2010, as a national grassroots campaign to represent all those deleteriously affected by the HS2 proposals. Your Petitioners are supported by over 100 local action groups, as well as numerous individuals and other groups such as Parish Councils and Residents Associations, as well as other regional and national groups, trusts and associations.
2. Your Petitioners have been recognised as representative of those deleteriously affected by HS2 by your honourable house, having been invited to appear before the House of Lords Standing Orders and Economic Affairs Committees. Bizarrely, the promoter challenged our locus standi after we had already been called to appear before the Commons committee, and locus standi was granted. Stop HS2 has also been called to appear before the Transport Select Committee, the HS2 Paving Bill committee and the Environmental Audit Committee.
3. Your Petitioners have organised numerous demonstrations and events, supported by thousands of people overall, and are recognised as the primary national organisation representing those who are opposed to HS2, but who also accept that effective engagement will lessen the impact of HS2 on communities if it were to go ahead.
4. Stop HS2 directors, members and supporters have sought to engage with HS2 Ltd and the Department for Transport on many occasions, with little success. Your Petitioners have consistently encouraged people, organisations and communities affected by HS2 to take part in consultations, HS2 community forums, bilateral meetings, and engage with The Promoter through all other means. Your Petitioners, whether as representatives of local councils, as representatives of Stop HS2 or as private individuals have repeatedly had reasonable requests for information refused or delayed by the promoters. Your Petitioners note that all other organisations have had similar experiences, even where the organisation is publicly supportive of the promoters.
5. Your Petitioner has been trusted by individuals up and down the route to petition on route-wide issues on their behalf. This was demonstrated by hundreds of letters of support being deposited as evidence to the locus standi hearing at the Commons Committee.

*Independent Scrutiny*

1. Your Petitioners wish to note that even when The Promoters have engaged with communities, there are examples of communities providing mitigation proposals which The Promoters have admitted would be better for the community, and cheaper to provide, but have still been turned down.
2. Your Petitioners are further concerned that on many occasions the promoters have treated consultation exercises as box ticking exercises. Your Petitioners note that following the 2011 consultation the promoters lost two batches of consultation responses, totalling over 1000 responses. Your petitioners also note that due to deficiencies in the information provided by the promoters, the House of Commons Standing Orders Committee and subsequently the House of Lords Standing Orders Committee both ruled on separate occasions that the Environmental Statement consultation should be extended.
3. There were multiple instances of petitioners to the Commons Committee being presented with new information on the day of hearings, after the deadline for submitting supporting evidence had passed. Your Petitioner sincerely hopes this will not be allowed at Your Honourable Committee, and any petitioners getting information at such a late stage will be granted the right to appear before you again if necessary.
4. In 2015, the Parliamentary and Health Service Ombudsman found HS2 Ltd guilty of maladministration. Whilst the Ombudsmans’ report was concerned with only one community, it could have been written about any of the places HS2 is planned to go through. HS2 Ltd has systematically failed to listen the communities along the line or to treat them like human beings. The report concluded that the community concerned: “Spent considerable time and effort drawing up proposals, but over the course of two years HS2 Ltd repeatedly failed to communicate their views on the proposals within agreed deadlines, cancelled meetings at the last minute and postponed other meetings, giving the families false hope that their plans would be considered, when in fact no feedback was ever given and it is not clear if the proposals were fully considered at all.”
5. Subsequently, in 2016 the Public Administration and Constitutional Affairs Committee looked into further incidences. Publishing their report, Chairman of the Committee, Bernard Jenkin MP, said: “There is still a culture of defensive communication and misinformation within this public body and that is not acceptable.  Unless those responsible for delivering HS2 understand that first and foremost they serve the public, they will continue to be criticised for having complete disregard for the people, some of them vulnerable, who are impacted by this large-scale infrastructure project.”
6. We do not believe this state of affairs will improve with Royal Ascent of the HS2 Bill, in fact we believe, based on the realities of dealing with HS2 Ltd over the last six years that things would get worse. As such, we believe that independent scrutiny of HS2 Ltd and their nominated undertakers is essential, and support the proposals but forward as an amendment to the Bill at Commons 3rd reading by Mrs Cheryl Gillan.
7. HS2 Ltd have proposed the post of a ‘Construction Commissioner’. However, the commissioner would not be allowed to intervene until the internal complaints system within HS2 Ltd has been exhausted. If this is the case, it is likely the commissioner would be completely toothless, as if they ever get to investigate anything, it would be well after the fact and almost certainly inconsequential due to the passage of time. We believe the first point of call should be the commissioner, who should have powers to stop work if infringements are taking place.

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# Concerns about unprecedented powers contained within The Bill

1. ers Your Petitioners are concerned that the powers sought in the Bill go beyond the scale of powers of what is reasonably required to achieve the construction and operation of the high speed railway and its associated development particularly in relation to the acquisition of land and rights in land, air space and subsoil.
2. Your Petitioners note that Clause 40 removes the normal procedure, laid out in the Railways Act 2005, for closing any existing railway line, railway service or station if ministers deem its closure “necessary or expedient” for HS2. Given that this may result in a permanent closure (there is no requirement for re-instating the service) Your Petitioners believe this clause should be removed.
3. Your Petitioners are concerned that rights of entry and authorisations to enter land for surveying purposes go beyond far the rights that are reasonably necessary. This permits entry to any land anywhere in Great Britain for the purpose of any high speed railway which ministers might wish to propose in the future. It is outside the long title and scope of the Bill, not being a purpose connected with HS2.
4. Clauses 53 & 54 of the Bill allow for anyone nominated by HS2 Ltd to have ‘right of entry’ to any property within 500 metres of any property near any other future high-speed line, even if no plans have been published. Refusal to admit entry could be a criminal offence. Your Petitioner requests that Clauses 53 and 54 should be deleted, as property owners of Phase 1 have mostly refused entry to property due to the attitude of HS2 Ltd, with many home and land owners having had no communications from HS2 Ltd until they wanted access to land, after the main consultation had concluded.
5. Compensation under Clause 54(5) is limited to damage to land or other property and does not include any other losses, such as the owner or occupier being deprived of the use of the land or incurring extra costs to manage the entry onto their land. The compensation provision is narrower than in other legislation (for example, section 292 of the Highways Act 1980) and if a right of entry is retained then it should be amended.
6. Your Petitioners are concerned by Clause 48 of the Bill (compulsory acquisition of land for regeneration and relocation) which is too broad in scope and is not limited by time or distance. Any land, anywhere in the country could be bought, at any time under this clause. Your Petitioner believes that this power should be removed.

# Electricity Supply

1. Your Petitioners have no idea where all the electricity for HS2 is going to come from, given that a design speed has been chosen which will require far more electricity than conventional trains, and that the UK is supposedly facing challenges to meet current generation requirements. It seems that The Promoters have no idea either.
2. The requirements for generating the electricity HS2 would require have not been properly considered or costed. Your Petitioners require that The Promoters include more realistic projections of the power costs they would incur, as well as other more realistic running cost projections.
3. The Promoter has stated that: “The total maximum demand of HS2 for both Phase One and Two is estimated to be 800 MW.” to put this in context, that is half the output of one of the nuclear reactors planned for Hinkley C. The promoter should detail the power requirements HS2 would require, what and what implications and requirements this would mean for future electricity generation, and what the associated costs of any new generation infrastructure should be. Your Petitioners request that any such addition to electricity generation and transmission infrastructure should be added to the overall costs of HS2.

# Concerns about the reported costs and benefits of HS2

1. Your Petitioners note the report on HS2 produced by the Economic Affairs Committee. We share many of their concerns. We also note that HS2 Ltd that there is little transparency regarding the costs and benefits of HS2. It is clear much of the information concerning the costs of HS2 is misleading, a recent example of which is that it was stated at Second Reading in the House of Lords that the costs of HS2 were updated in 2015 to account for inflation. A Freedom of Information request had already showed this not to be true. In reality, the cost of Phase 1 had risen by 15.02%, whilst Phase 2 (not including the proposed Crewe Stations) had risen 39.20%.
2. Your Petitioners ask your honourable committee to order a full-scale independent appraisal of the entire business case for HS2.

# Concerns about the Environmental Statement

1. Your Petitioners consider that the Environmental Statement deposited with the Bill (“the ES”), including the non-technical summary that is supposed to make it easier for people to understand, provides inconsistent and limited (often generic) information on impacts, limited and incomplete baseline information to support these impacts, fails to reflect the deprivation of the areas most affected by the proposal, includes constant inaccuracies on what is in or out of the construction zones, provides no clarity on when the construction works will actually commence or the timeframe of construction impacts, no information on tunnelling and/or settlement impacts, nothing on what is meant by 'temporary' impacts, no assessment of the impacts on vulnerable residents, no clear works programme, no thorough assessment of noise and air impacts, and inadequate risk assessment on land disturbance. The full range of health impacts has not been properly assessed. The transport assessment in the ES is based on unreliable traffic and pedestrian baselines due to deficiencies in data collection, insufficiently substantiated estimates and inappropriate application models, resulting in a general under-estimation of impacts. Inadequate consideration has been given to the broader amenity effects that will arise through cumulative impacts.
2. The layout of the ES is such that an individual resident would find it very difficult to determine the cumulative impacts of the project on a specific site. For example, the noise, air quality and transport impacts have been reported separately and there is no spatial presentation of the information or basic description of the cumulative environmental impacts at any given location. The effect of this is that neither your Petitioners nor other interested parties are in a position to understand the scale of impact on the environment, nor assess whether the mitigation proposals are adequate at any given location.
3. Your Petitioners provided the House of Lords Standing Orders Committee with written and oral evidence of missing information on the Environmental Statement consultation which was instrumental in the House of Lords extending the consultation.
4. The Supreme Court’s deliberations on the Strategic Environmental Assessment requirements showed a clear expectation that Parliament and the Hybrid Bill process would ensure that all necessary environmental investigations and assessments were performed. Your Petitioners request that the Committee ensures that the highest level of environmental protection, assessment and investigation is undertaken.
5. Your Petitioners do not believe that all the likely significant effects on the environment have been adequately described in the ES and are of the view that the mitigation measures proposed have not been adequately described. In many instances, no mitigation is offered or what little mitigation is referenced, is left to the draft Code of Construction Practice (“COCP”). That is inadequate because the COCP is in draft form and will remain as such until after the Bill has been enacted. The term, ‘reasonably practicable’ has been used frequently throughout the COCP but it is not clear who will decide what is ‘reasonably practicable’. Your Petitioner is also concerned to ensure that the Nominated Undertaker is required to adopt the very highest standards in respect of the mitigation of the effects of noise, vibration, dirt and dust.
6. Your Petitioners are concerned that there is no measurable independent method of compliance by contractors and other organisations in relation to noise, vibration, dust and other issues. Your Petitioners require The Promoter to adequately fund local authorities along the route to monitor these issues, ensure compliance and deliver enforcement.
7. It is vital that the deficiencies in the ES identified by your Petitioners and by the Environmental Audit Committee of your honourable House are remedied by the Promoter of the Bill, whether by way of an addendum to the ES or otherwise. One reason this is so important is that the Environmental Minimum Requirements, which have been produced by the promoter of the Bill in draft, contain important obligations which will fall on the Nominated Undertaker when constructing and operating the railway, and a number of those obligations are specifically tied in to the ES and depend upon its accuracy.
8. Your Petitioners also want to make it clear that for years, whenever anyone asked a representative of The Promoters for more detail, they were told to ‘Wait for the Environmental Statement’. In the vast majority of cases, people are still waiting.

# General concerns about the Code of Construction in the construction phase

1. Your Petitioners note that the assessment in the Environmental Statement was on the assumption that the Code of Construction was adhered to. However there the Code of Construction has no legal status. Your Petitioners submit that the Code should be incorporated into the Bill. This has been consistently resisted by the Promoter, who seem to think the stance “We don’t need to be made to do this, we are promising to do this” is in some way reassuring.
2. Your Petitioners believe that the arrangement proposed by the Promoter in the Code of Construction Practice, whereby the nominated undertaker would be responsible for both the delivery and the enforcement of proper conduct by the nominated undertaker's contractors and sub-contractors, implies a conflict of interest and is inadequate. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice such as empower local parish and town councils to employ jointly an Environmental Health Officer, for the duration of the works, with the power to suspend works, should be agreed control measures be breached, and until more rigorous measures have been put in place, and your Petitioners seek an undertaking from the Promoter that all costs arising from the employment of such an Environmental Health Officer will be met by the nominated undertaker.
3. H01\_2, H01\_3
4. YYour Petitioners note that the Bill and the Code of Construction Practice would confer powers on the Secretary of State and Local Planning Authorities for the summary approval of a wide range of matters relating to the construction of the proposed scheme. There is extensive concern that there is no requirement for the nominated undertaker and its contractors to enquire about the effects of the proposed Works on local people, and to stop, delay, or amend activities to reduce injurious effects to the lowest practicable level through a process of negotiation with local councils and amenity groups. Your Petitioners seek amendments to the provisions of the Bill and the Code of Construction Practice to ensure that the nominated undertaker and its contractors will engage with local councils and amenity groups, will attend meetings, will make available the general work plan, and will give the relevant parish or town council and amenity groups a month's notice of works before their commencement, to allow time for representations to be made.
5. Your Petitioners note that the standards in the Code of Construction are of “reasonableness” and “reasonable endeavours”. Your Petitioners submit that these standards should be much higher and replaced by, for example, “best practice”.
6. H01\_1
7. H01\_4 It is of great importance to our supporters that the Works permitted by the Bill are carried out with the best possible regard for their rights and well-being. A major consideration is the avoidance of disturbance at unsocial times of day. Your Petitioners recognise that construction work is inherently disturbing, and that some activities need to be continued outside core hours. However, the measures proposed by the Promoter are far too loose, and your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would restrict start-up and close-down periods to 30 minutes to prevent abuse of the system, that would require local approval through the engagement process requested for activities outside core hours likely to cause undue disturbance through noise, vibration, traffic, dust, fumes, or lighting, that such work would be justified by the use of major plant or the need to avoid day-time disruption, that detailed applications for such works would be made 14 days in advance, and that Bank Holidays would be treated the same as Sundays.
8. H01\_5 Your Petitioners are concerned by the potential intrusion, disruption, and loss to property that could arise from inadequate site management and inappropriate choice of work sites, material dumps, and traffic routes. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require work areas to be set up, maintained, operated, cleared, and reinstated to the satisfaction of the local community through the engagement process requested, with regard especially to the mitigation of visual intrusion, protection and insulation from noise and vibration, and the positioning of vehicle routes.
9. H01\_8 Dust and emissions generated by the proposed construction works could injure the amenity, health, and property of residents, farmers, and businesses (particularly those with outdoor displays). Your Petitioners are aware of the damage caused by dust problems during the construction of the Channel Tunnel Rail Link. During construction, air quality will be degraded by NO2 and PM10 emissions, and by dust generated during earthmoving or blown from stockpiles. Airborne particles derived from soil, rock, cement, and the cutting of steel, plastic, and wood constitute a real hazard to health. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require the regulation and protection of air quality through the engagement process requested, that would establish objective control measures for enforcement by the Environmental Health Officers, using the latest relevant guidance, and that would ensure construction machinery conforms to the latest standards.
10. H01\_16 Intrusive noise from the construction works would be very disturbing for residents, businesses, and livestock. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require the application of Section 61 of the Control of Pollution Act 1974, the approval of intrusive activities through the engagement process requested, the provision by the nominated undertaker of noise insulation for adjacent properties whenever continuous-equivalent noise levels of 50 dBA and above at the receptor are predicted, and the application of "Best Practicable Means" criteria when considering methods of reducing noise disturbance.
11. H01\_15 Your Petitioners are concerned that during the construction phase, high-intensity lighting would be used during nocturnal working, and that this would be very disruptive for residents, particularly when used on elevated sections of the route. Your Petitioners seek amendments to the Code of Construction Practice that would require strict guidelines and control criteria, as well as the regulation of working outside core hours as requested.

# Concerns about water supplies

1. Your petitioner is concerned that there are potential adverse impacts on water resources. The increased risk of surface water flooding arising from the construction and operation of the works authorised by the Bill has also been inadequately assessed and has the potential to have significantly adverse impacts.
2. The Flood and Water Management Act 2010 means that Lead Local Flood Authorities have responsibility for surface water flooding, but HS2 Ltd as of yet have been ignoring this legislation and only liaising with the Environment Agency, whose competence surrounding the issue of flood risk, management and prevention has recently been demonstrated to the entire country.
3. Your Petitioner are concerned about the danger of water pollution arising from the construction and operation of the proposed high speed railway and associated development and the run-off into surrounding watercourses, as well as the expected flow rates or impact on surrounding transport
4. Your Petitioners request that throughout construction there should be sampling of surface water at different locations surrounding each construction site and these samples should be independently tested at a United Kingdom accreditation service laboratory. The results from the sampling should be shared with the Environment Agency and the relevant local authority. The results should be benchmarked against accepted water quality levels.
5. Your Petitioners are concerned that the Hybrid Bill seeks to undermine long standing and important legal safeguards concerning the safety of drinking water. Your Petitioner requests that Clause 32 and schedule 21, which override key legal safeguards that protect public water supplies be deleted from the Hybrid Bill.
6. Your Petitioners have little faith in flood risk assessments published by HS2 Ltd. In some places the ‘maximum flood level’ has been exceeded in modern memory, whilst in others the Promoter has proposed diversions to water courses, yet there has been no change whatsoever in the flood assessment. In November 2013, HS2 Ltd published their comprehensive flood risk assessment, however in February 2014, it was reported that Dan Rogerson, the floods minister, said that officials had still not assessed any likely flood risk from the HS2 route for the first section, from London to Birmingham, saying *“The scale of that risk will depend on the precise alignment of the route. At present this has not been fully assessed, nor has an assessment been made for the phase two routes.”.* It is imperative that the robust flood risk assessment is conducted and published prior to the conclusion of the petitioning process.

# Concerns about ancient woodland and trees

1. Your Petitioners are concerned about the impact of the HS2 scheme on ancient woodland. Ancient woodland has been continuously wooded for at least 400 years, and is an irreplaceable national resource of great importance for its wildlife, soils, recreational uses, cultural value, history and the contribution is makes to our diverse landscapes. Your Petitioners are particularly concerned about the extent of loss of ancient woodland and harm to biodiversity that will result from the Bill as currently proposed and the impacts of the construction of works and other proposed activities on ancient woodland.
2. Your Petitioners ask that the Bill should not become law unless proposals are brought forward by HS2 which significantly reduce the extent of loss of ancient woodland. Because ancient woodland is irreplaceable, its loss cannot be mitigated, only compensated for. Your Petitioners are very concerned that the compensation measures proposed by the Promoters are inadequate. Where limited loss is inevitable greater compensation should be provided and it should be guaranteed for the future.
3. Your Petitioners note that the Promoter state they will aim to construct deep cuttings through ancient woodlands, however inspection of the proposals show this is the exception rather than the rule.
4. Your Petitioners are also concerned about indirect effects on ancient woodland from the construction of HS2 including adverse impacts from noise, light and air pollution, and working within and adjacent to ancient woodland. Further mitigation of these impacts, such as large buffers and relocation of working sites, should be provided if the scheme goes ahead. No ancient woodland sites should be used for temporary construction sites.
5. Your Petitioners support all petitions brought by the Woodland Trust.
6. Your Petitioners are concerned that the scheme will also impact on other areas of old woodland which are not yet designated as 'ancient woodland'. Your Petitioners ask that other areas of old woodland are treated with similar concern to woodland designated as ancient woodland.
7. Your Petitioner is concerned that The Promoter has completely ignored the following statements, advice and statues:
   1. It is a stated policy of the Defra/Forestry Commission statement on ancient woodland *Keepers of Time* that *“existing areas of ancient woodland should be maintained”*. This implies that there should be no further losses of this habitat.
   2. The National Planning Policy Framework (NPPF) requires that loss of ancient woodland should not be permitted *“unless the need for, and benefits of, the development in that location clearly outweigh the loss*”. No consideration of whether the HS2 proposal satisfies this test has been given in the Environmental Statement, or elsewhere.
   3. The Natural England and Forestry Commission publication *Standing Advice for Ancient Woodland and Veteran Trees* advises, in paragraph 6.1, that where proposals *“seek to address issues of loss or deterioration of ancient woodland veteran trees”,* measures that rely on mitigation or compensation *“should be issues for consideration only after it has been judged that the wider benefits of a proposed development clearly outweigh the loss or damage of ancient woodland*”.

# Concerns about Hedgerows

1. H01\_29 It is noted that the proposed Works will entail damage or removal of hedgerows throughout the route, with serious implications for the complete ecosystems to which they give shelter. Your Petitioners note the intention to plant substitute lengths of hedging, but seek an undertaking from the Promoter that the replacement hedges will be planted and nurtured to maturity in appropriate locations, using species that are similar to those displaced, and that the overall scheme of planting will provide a quantity and quality of habitats equivalent to those that have been lost.

# Concerns about replacement of habitats and wildlife, including plants

1. H01\_241 The construction and operation of the line puts at risk a large number of wildlife sites, including SSSIs. Your Petitioners seek an undertaking from the Promoter that naturalised equivalent replacement habitats will be created within the locality as part of the landscaping, that these will be developed to the satisfaction of local groups such as local Wildlife Trusts, and that they will be protected and maintained in perpetuity.
2. The promoter has agreed to establish an ecological review group which, according to the latest draft Environmental Memorandum produced by the promoter, will be formed for the specific purpose of reviewing the outputs from the ecology monitoring programme once the proposed railway is operational. The petitioner believes that this will be too late. Starting ecology monitoring after construction has taken place will provide no meaningful data, as it will only start after the greatest damage has taken place. As such, your petitioner believes the timing of the start of this programme is intended to be ‘fixed’ so that it shows HS2 will have a beneficial ecological impact, as monitoring will start at the ecological low point.
3. The ecological review group must be established before construction, and that its remit should be altered so that it is able to make recommendations about the design of the railway and the proposed ecological mitigation before and during the detailed design process. The promoter and the nominated undertaker should be required to co-operate with the ecological review group and have due regard to its findings when designing, constructing and operating the works authorised by the Bill. This should include, but not be limited to, meaningful consideration of reasonable proposals for additional specific ecological measures, including new or improved green infrastructure within the Bill limits if recommended by the group. There should be improved consistency of approach along the line of the proposed railway in respect of these matters, and the group should be tasked with reporting to the select committee of your right honourable House before it concludes its hearings. Again, representatives from local authorities, local wildlife trusts and the Woodland Trust should be invited to be members of the group.
4. H01\_246
5. H01\_186

# Concerns about Light Pollution

1. H01\_190
2. pollYYour Petitioners are concerned that aspects of the scheme will involve additional lighting during construction and operation, such as construction camps and maintenance depots and along the line of the route and on road systems. Your Petitioners note that many of the countryside areas affected by the scheme currently experience exceptionally low levels of light pollution, which is to the advantage of astronomy and wildlife. Your Petitioners note that some areas may wish the Promoters to add extra lighting in some areas. Your Petitioners do not ask for a blanket decision, but ask that lighting takes into consideration existing night time light levels and is designed to minimise light spillage.

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# Concerns about electromagnetic interference

1. H01\_181
2. Your Petitioners are concerned that the promoter has failed to carry out any analysis of electromagnetic interference and blockage issues affecting third parties. The high speed trains envisaged by the proposed scheme will consume several times the 5 MW peak power consumed by current trains, so there will be very heavy currents in the electrical supply system. In addition, much of the line and its overhead line equipment is proposed to be significantly elevated above the natural terrain. It is thought the UHF band is the most susceptible to blocking and multi-path interference, and this band is used heavily for cellular telephony, television, emergency services, and satellite navigation. Any impairment to signal strength or quality would cause inconvenience and financial loss, and compromise the response time from emergency services. Your Petitioners seek an undertaking from the Promoter that a full analysis will be carried out to determine the potential extent of electromagnetic signal interference and blockage, and the best way to restore acceptable signal strengths.
3. Your Petitioners are concerned that some elevated structures would block or distort electromagnetic signals, particularly those in the UHF band used for television, mobile telephones, and navigation. Residents, businesses, and service providers would suffer inconvenience, hazard, and expense if signals were blocked or distorted. In many areas, the Promoter has failed to assess whether the elevated road and railway would interfere with radio signals, nor considered whether extra repeater stations would be needed, nor where they would be located. Your Petitioners seek an undertaking from the Promoter that a prompt and proper investigation of the potential blockage of UHF signals will be carried out, that all necessary powers and funding will be provided for installing additional antennas or other means to restore full service, and that these additional devices will be attached to the elevated structures in order to reduce the impact on the landscape.

# Concerns regarding the proposed speed of HS2

1. H01\_241 Your Petitioners do not understand why HS2 is being designed for a speed of 250mph, when these would require a significantly higher power input than conventional trains, or even Eurostar which has a maximum speed of 186mph. The 250mph design speed is responsible for a large proportion of the damage to communities and the natural environment. The 186mph design speed of HS1 allowed for more sensitive routing, and the ability of that railway to follow existing transport corridors, which brought some benefit to the natural environment, in creating new habitats in islands of land created between the railway and the M2 and M20.
2. Your petitioner does not understand why the ‘Kent Principles’ were abandoned by HS2, and ask that the need for a new north south railway is re-assessed, and if it is decided that a new railway should be built, ask that it is designed with a speed of a maximum of 186 mph,, which would allow more sensitive and sensible routing options, as recommended by the Environmental Audit Committee.
3. It is an undeniable fact that if a design speed lower than 250mph had been chosen for HS2, that many of the complaints and petitions delivers to your honourable committee simply would not have happened. HS2 Ltd dismissed intermediate stations at Coventry, Brackley and Aylesbury on the grounds that they would slow the train down too much, even though intermediate stations would be of benefit to some of the people affected by the HS2 route. Because HS2 could have been designed in a more sympathetic manner, or even been designed with a completely different route which would have delivered fewer problems, lower costs and better connectivity to more places, such as the proposals from HSUK.

# Community Funds

1. H01\_241 Your Petitioners note our request that the Promoters of the Bill should be required to establish a series of community funds was agreed to. The petitioner asks your right honourable House to require extra allocations to be made as proposed by the select committee of the House of Commons and supports other local authorities in the view that the overall fund should be increased further.

# Concerns about Archeology

1. Your Petitioners consider that the Promoters and the Nominated Undertaker must provide adequate opportunity and funding for archaeological investigation in respect of each of the construction and work sites. Your Petitioners submit that the cost of these measures should all be borne by the Promoter.
2. Your Petitioners believe that the proposals in the Code of Construction Practice for enforcement of measures to protect archaeological remains and cultural heritage assets, during the construction of the scheme, are inadequate. Example issues in this category are known or postulated assets, incidental discoveries, prospective surveys, safeguarding, documentation, preservation, and protection against looting. It is understood that about half the archaeological sites excavated during the construction of the Channel Tunnel Rail Link were unidentified prior to the project.
3. Some Local Authorities have no staff proficient in this speciality. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would empower local parish and town councils to employ jointly an Archaeological Officer, for the duration of the works, with the power to suspend works, should agreed control measures be breached, and until more rigorous measures have been put in place, and your Petitioners seek an undertaking from the Promoter that all costs arising from the employment of such an Archaeological Officer will be met by the nominated undertaker.
4. The large-scale earthmoving required for the construction of the proposed railway would pose a major threat to archaeological traces that lie undetected. Your Petitioners seek amendments to the Code of Construction Practice that would require the principles of PPS 5 (2010) or best practise at the time to be applied to sites that could be in any way affected by the Works, that would ensure that, prior to disturbance archaeological investigations are undertaken, using best practise at the time of investigation.

# General Concerns about loss of community identity

1. H01\_90 Your Petitioners ask that the local architectural styles are taken into account when choosing final designs of bridges, viaducts and other structures.

# General concerns about Highways in the construction phase

1. H01\_17 All All residents and local businesses are likely to suffer inconvenience and financial loss from the closure and diversion of roads, bridleways, and footpaths, and from the additional and diverted traffic on the routes that remain open. This will affect public transport, commuters, delivery vehicles, utility vehicles, emergency services, farm traffic, and recreation, with a particular impact on businesses that use the roads as part of their activities, such as taxis and hire cars, driver training, and horse riding establishments. Your Petitioners seek amendments to the Code of Construction Practice that would require the nominated undertaker and its contractors to give a month's advance notification of proposed heavy construction traffic flows, route closures, traffic control measures, and diversions, through the community engagement process requested, together with publicity in a form comprehensible to all users.
2. H01\_18 The disruption, inconvenience and loss has not been estimated fully by the Promoter, as assessments have been restricted to peak hours, although disruption will occur throughout the day. Your Petitioners seek amendments to the Code of Construction Practice that would require the nominated undertaker and its contractors to apply for the closure or diversion of carriageways, bridleways, and footpaths through the community engagement process requested, that would give the relevant parish or town council the right to refuse permission for route closures and diversions, that would empower the relevant parish or town council to regulate the time of day when heavy traffic flows and traffic control measures would be allowed, and that would require a clear procedure to ensure closures, diversions, and restrictions are properly coordinated and well signed.

# General concerns about Agriculture and Ecology in the construction phase

1. H01\_12 As with matters of Environmental Health, Your Petitioners believe that the proposals in the Code of Construction Practice for enforcement of measures to protect agriculture, ecology, and the natural environment, during the construction of the scheme, are inadequate. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would empower local parish and town councils to employ jointly an Ecological Officer, for the duration of the works, with the power to suspend works, should agree control measures be breached, and until more rigorous measures have been put in place, and your Petitioners seek an undertaking from the Promoter that all costs arising from the employment of such an Ecological Officer will be met by the nominated undertaker.
2. H01\_7 It is noted that the protection of trees during construction works requires specialist knowledge. Your Petitioners assert that inadequate measures are specified in the Code of Construction Practice, and so seek amendments to the Code of Construction Practice that would require the nominated undertaker and its contractors to work through the community engagement process requested and to respond to advice from the Local Authority Tree Officers and the local Tree Wardens.
3. H01\_9 Your Petitioners are concerned about potential damage to the environment from the escape of industrial gasses from plant and vehicles during the construction phase. Your Petitioners seek amendments to the Code of Construction Practice that would require the application of strict control measures to the latest standards.
4. H01\_10 Your Petitioners would draw attention to the substantial risk to the environment from spillages of oil, fuel, hydraulic fluids, other materials from vehicles, machinery, and fixed installations, and to the harm that would be caused by contaminated run-off into the water system and by residues left on land that is returned to agriculture. Your Petitioners seek amendments to the Code of Construction Practice that would require the application of strict control measures to the latest standards.
5. H01\_11 The propagation of weeds by the movement of vehicles and the failure to control seed formation would cause inconvenience and loss to agricultural business and residential gardeners. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require the nominated undertaker to provide training to contractors and sub-contractors, to carry out inspections, to destroy identified weeds, to grant access to work sites for those with a legitimate concern, and to ensure this topic is properly considered in the engagement process requested.
6. H01\_19 Your Petitioners consider that the significant lengths of embankments and deep cuttings in the proposed Works will have a serious impact on drainage and ground water, with implications on residential, commercial, and agricultural land use. The Promoter has not set out a procedure for reviewing hydrological issues during the groundworks. Your Petitioners seek amendments to the provisions of the Bill and to the Code of Construction Practice that would require the on-site identification of the exposed strata and hydraulic modelling to determine appropriate mitigation, and that would require the Promoter to establish a committee to review hydrological findings on a monthly basis and ensure corrective actions are carried out.

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# Other general concerns in the construction phase

1. H01\_36 Your Petitioners are concerned about the lack of detailed proposals for security fencing of the line, and the potential impacts on the landscape. It is understood that for maximum effectiveness, the noise barriers would be close to the line, and cable troughs and access tracks would result in a typical trace width, across fences, of 22 metres. Your Petitioners seek an undertaking from the Promoter that any security fences will be coloured to tone into the environment, such as olive or yellow-green in rural settings and chocolate brown or terracotta in built-up situations, and that the advice and wishes of the relevant parish or town council will be followed.
2. H01\_272 The Code of Construction Practice includes a Small Claims Procedure, but local councils are excluded from using it. In view of the land and property owned by parish and town councils along the route, your Petitioners seek an amendment to the Code of Construction Practice that would allow parish and town councils to seek redress through the Small Claims Procedure.
3. H01\_42 Your Petitioners consider that the analysis of the potential impairment of existing businesses along the route, during both construction and operation of the proposed scheme, is inadequate. The losses suffered by established businesses in, and related to, agriculture has not been quantified. There is a wide variety of full-time and casual jobs in the diversified rural economy that will be jeopardised by disruption, environmental impacts, and the disinclination of customers to visit an area beset with large-scale construction works. Non-agricultural businesses are widespread and many will be damaged by the extended loss of their rural ambience. Your Petitioners have little expectation that many construction jobs will go to local people, based on experience with similar projects. Your Petitioners seek an undertaking from the Promoter that, before any preparation for the Works is started, a detailed breakdown of prospective job losses and reduction in available working hours will be made, analysed by employer, locality, and occupation, taking into account factors such as disruption, access difficulties, relocation, loss of premises, and customer alienation.
4. Your Petitioners are of the opinion that the construction of HS2 will constitute a “material change of circumstance” for the purpose of establishing the rateable value of local businesses. We request that HS2 Ltd fund the employment of officials to help local businesses obtain a property revaluation and to assess the damage to the local economy (by monitoring the use of local car parks, for example). Should these measures prove inadequate, we request central government support for local businesses during the construction period.

# Restoration of the agricultural landscape after construction of the scheme

1. Your Petitioners wish to draw attention to the large-scale temporary use of agricultural land during the construction phase of the proposed works. The Promoter proposes to occupy very substantial areas of agricultural and forestry land for spoil heaps, work camps, and other purposes at numerous places along the route. Your Petitioners are concerned that the soil in these areas would be susceptible to damage by static compaction, by pollution, and during handling, and that the field drains will be broken. Your Petitioners seek an undertaking from the Promoter that every care will be taken to prevent these damages, that restoration will be done to a high standard and will comply with the Standard for Farmland Remediation, that field drains will be restored, and that land occupiers will be fully compensated for any failure to do this work correctly and promptly.
2. H01\_23 Your Petitioners are concerned that in the assessment made by the Promoter of the effect of the proposed scheme on the landscape, no account was taken of the consequential effects of the economic damage done to agricultural businesses during the construction phase. Your Petitioners anticipate that many agricultural businesses would cease to function during the construction period, and that afterwards, the reduction in land area and fragmentation will reduce the economic viability of those that continue. Your Petitioners seek an undertaking from the Promoter that an agency will be created, together with a compensation scheme, to stimulate the amalgamation of uneconomic agricultural land fragments into viable holdings.
3. H01\_22 Your Petitioners are also concerned that the temporary use of land during the construction phase of the scheme would be used as an argument to circumvent Greenbelt and spatial planning guidance and plans. Your Petitioners seek amendments to the Bill to disallow temporary use of the land during construction of the scheme as a material consideration in the determination of future Local Plans, Greenbelt boundaries, and planning applications, and to prohibit any change of use from agriculture for a period of 5 years after the land has been restored and returned to agricultural production.

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# Restoration of ecology after construction of the scheme

1. H01\_27 Your Petitioners note that a wide range of measures for ecological compensation has been offered by the Promoter, but there is a lack of firm action plans and clear standards. Your Petitioners seek an undertaking from the Promoter that the implementation and monitoring of bio-system replacement will be done to a high uniform standard throughout the proposed scheme, that the Promoter will follow the guidance in the National Planning Policy Framework and seek to improve the natural environment, that there will be compliance with the European Environmental Impact Assessment criteria, the UK Chartered Institute of Ecology and Environmental Management standards, and British Standard BS 8545 "Trees: from nursery to independence in the landscape", and that the creation of alternative habitats and translocation of species will be commenced as soon as reasonably practicable.
2. H01\_28 Trees are critical features in the landscape and need long-term planning and care due to their slow growth rate. Your Petitioners seek an undertaking from the Promoter that where tree planting is to be used as an offset, at the very least, the DEFRA recommended replacement ratio is used, and that advice from the relevant parish and town councils and local interest groups on species and locations will be heeded.

# Compensation

1. H01\_20 Your Petitioners submit that the current and proposed compensation proposals are inadequate, and expect homeowners to endure loss for no fault of their own.
2. Your Petitioners believe that compensation must be fair and proportionate; and those affected must be afforded a proper opportunity to influence the final determination. Regrettably these principles have not been observed in the current HS2 proposals. Your Petitioners hope that the Select Committee considers previous rulings by the CTRL Select Committee, which ordered the Nominated Undertaker to buy properties which had failed the hardship test, and the Croydon Tram Select Committee which made a ruling around the issue of negative equity.
3. The Need to Sell scheme is overly onerous, and your petitioner seeks that compensation should be paid on the sole criteria of suffering loss of value, irrespective of personal circumstances.
4. Your petitioner believes that capital gains tax should be waived for all home, business and landowners in receipt of compensation from the Promoter.
5. Land which is required on a temporary basis should only be leased by the Promoter, with loss of earnings paid to landowners and land returned in a fit state.
6. Your petitioner believes that compensation schemes which operate in what the Promoter has defined as rural locations should be available everywhere impacted by the project.

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# General concerns during operation of the scheme

1. H01\_20 Your Petitioners are also concerned by a potential deterioration of air quality due to maintenance activities that would be required when the proposed railway becomes operational. Your Petitioners seek an undertaking from the Promoter that there will be a robust system of monitoring so that control measures can be developed.
2. H01\_37 The Promoter proposes that all maintenance work on the railway will be done at night, with the potential for disturbing residents with high-intensity lighting. Your Petitioners seek an undertaking from the Promoter that the operators of the railway will be required to reduce light spillage from maintenance works to the practicable minimum, that no light source will be mounted higher than the adjacent noise wall, and that full advantage will be taken of night-vision devices and automated maintenance equipment as they become available at reasonable cost so that the need for artificial illumination is minimised.
3. H01\_39 The noise caused by nocturnal maintenance is also a major concern for residents. Processes to maintain track alignment and quality will be required frequently, and are known to be noisy. There will also be vehicle movements and the handling of heavy loads. Your Petitioners seek an undertaking from the Promoter that the operators of the railway will be required to keep noise barriers in place during maintenance work, and that residential properties will not be exposed to a nocturnal maximum noise level greater than 60 dBA or a continuous-equivalent noise level greater than 40 dBA.
4. Your YYour Petitioners note that The Promoter has suggested that HS2 would not operate during the night and would not carry freight, however similar assurances were given regarding CTRL, yet HS1 now carries freight. Your Petitioners seek an undertaking from The Promoter or an amendment to the Hybrid Bill to prevent night running or 24 hour running for passenger or freight services.
5. H01\_38 Your Petitioners are disappointed that the Promoter has failed to offer any system to regulate operational noise and vibration levels from the trains. The desire to design a railway that can at up to 400 km/hour has dominated the choice of route and the design of the proposed works. Even if the initial running speed is not as fast, your Petitioners are concerned that in future speeds may be increased with a subsequent increase in noise levels. Nonetheless, the Promoter has taken no steps to demonstrate what disturbance this would cause to residents, visitors, businesses, and animals close to the proposed route, nor has the Promoter done any development work to reduce the noise generated by the trains to the lowest practicable level, and nor has the Promoter conducted any trials to prove the level of mitigation that might be afforded by various measures. Because train characteristics and noise mitigation measures will deteriorate over time, and will be influenced by environmental conditions, your Petitioners contend that actual measurement is the only way to control the noise nuisance. Having considered the recommendations of the World Health Organisation for acceptable noise levels in various situations, and having noted the Promoters' acceptance of the Channel Tunnel Rail Link method for the decline of noise level with distance, your Petitioners would consider that maximum outdoor noise levels of 60 dBA at 200 metres from the line, and 76 dBA at 25 metres from the line, would meet current expectations. Your Petitioners seek an undertaking from the Promoter that a mandatory maximum noise limit from the passage of a single train under standardised conditions will be set, that fixed noise monitoring stations will be installed and operated at regular intervals along the route, that a system of spot-checks using portable noise monitors will be undertaken, and that a penalty charge will be exacted on the operator of any train that fails to comply with the noise limit.
6. H01\_26 It appears to your Petitioners that there should be financial incentives to encourage the operator of the railway to comply with control limits on noise, emissions, pollution, and other nuisances. A system of penalty charges has been used for many years to provide incentives to meet aviation noise limits. The operator of a train would have the ability to avoid penalties by proper maintenance and operating procedures, and could be informed in real time of the performance of each train. Your Petitioners seek an undertaking from the Promoter that future operators of the proposed railway will be obliged by contract to pay penalty charges, after impartial adjudication, for infractions of control limits placed on noise, emissions, pollution, and other nuisances into a fund for the benefit of affected communities, such as that proposed earlier.
7. H01\_31 Given the long-term nature of ecological effects, it would appear there would be considerable difficulty in knowing whether the mitigation and offset arrangements advanced by the Promoter have produced the desired results. Your Petitioners seek an undertaking from the Promoter that a long-term ecological monitoring programme will be established, and that the monitoring programme will be open to full involvement by councils at all levels, and relevant special-interest groups.
8. H01\_30 It is expected that long-term ecological monitoring would identify the need for restorative or corrective measures to bring the environmental outcomes closer to that which was intended and authorised. Your Petitioners seek an undertaking from the Promoter that future operators of the proposed railway will be obliged by contract to provide funding for, and to take, restorative ecological measures, when adverse effects appear to be developing. H01\_25

# Carbon

1. Your Petitioners believe that the current HS2 proposals are incompatible with the both the 2006 and 2008 Climate Change ActsH01\_25 .
2. The immense environmental damage HS2 causes along the route is made worse by the carbon emissions due to building it. Although initially, HS2 Ltd claimed HS2 was likely to be carbon neutral, they now say that after 60 years of operation – in 2086 – the operation of HS2 will still not have offset the carbon costs of construction.  They assert over the full 120 year lifetime of the scheme - ie by around 2136 - they carbon costs of building will have been offset by carbon savings.  Your Petitioners point out that over the last 120 years railways have gone from steam powered through diesel powered to electric powered.  Your Petitioners would also like to note the prediction in the letter to the Times in 1894 that the streets of London would be covered in horse manure did not come to fruition, as alternative technologies made horses in London a rarity. Your Petitioners assert that assumptions about carbon savings between 2086 and 2136, should not be a factor in the case for HS2

# Concerns regarding Euston Station

1. The current proposal for Euston station is the fourth H01\_25 iteration of the plans, and is without doubt the worst, as was clearly rushed out to avoid the Commons Committee process stalling. The construction process is now expected to take until 2033 for the purposes of HS2, with an unknown further period for Network Rail to reconstruct the remains of their part of the station. The design urgently needs reviewing, with there being a necessity for community involvement.
2. Construction at Euston will have a significantly detrimental impact on the operation of the West Coast Mainline. Forecast for proposed service patterns during this period must be produced as soon as possible.

*The Prayer*

1. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended and undertakings given as proposed above, the provisions of the Bill, so The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the petitioners remain, etc.

Signed

Date